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THE INDIAN ARMS ACT MANUAL.

CONTAINING

THE INDIAN ARMS ACT XI OF 1878.
THE INDIAN ARMS RULES, 1909.

WITH

NOTES AND RULINGS OF THE HIGH COURTS
AND THE CHIEF COURTS OF PUNJAB AND BURMA.

TOGETHER WITH

Rules and Orders of the Government of India and of Local Governments.

134

G. K. ROY,

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superintendent, [Retired]

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Government of India.

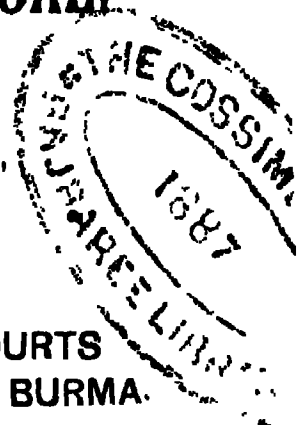
I have been thinking about you very much lately.

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(SECOND EDITION.)

Station Press, Simla



Dedicated,
with kind permission,
to
The Hon'ble Mr. H WHEELER, C.I.E , I C S ,
Secretary to the Government of India, Home Department.

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The patronage extended by the Government of India and the local Governments to the first edition of the Indian Arms Act Manual which was published in May 1910 has encouraged the compiler to publish the present edition. The Manual was published with the permission of the Secretary to the Government of India in the Home Department. It was not however free from defects, and was disfigured with many misprints. He has remedied these defects in the present volume and has enlarged it by including in it, besides additional notes and rulings, Act XXXI of 1860 (which is referred to in certain sections of Act XI of 1878), the proceedings of the Council of the Governor-General which led to the present enactment; and the local rules and orders of the Governments of Madras and Bombay and the Chief Commissioner of the Central Provinces. These local rules and orders are chiefly collected from the Police, Customs and other Manuals. The Compiler is grateful to the Governments of Bengal and the Punjab and the Hon'ble the Chief Commissioners of Baluchistan and the North-West Frontier Province in which provinces the book is in general use by Government officials, and to the Inspector-General of Police, Punjab, and the Deputy Inspector General (Mr. Wallace,) who have purchased a large number of copies of the Urdu version of the work for use of the Police Officers in the Punjab and the North-West Frontier Province. The amendments made in the Indian Arms Rules by the Government of India up to the 15th August 1913 have been embodied in this work but the Author will be grateful if any omissions or errors are brought to his notice.

G. K. R.

SIMLA, E.

The 18th August 1913

Donated by
SRI S. J. NANDY, M.A.
Maharajahji of Coimbatore
1955

Corrections.

Page 67.—Rule 10 (b). Line 2.

For the words "or Morgui" read—

"Mergui or Victoria Point"

Page 81.—Rule 28. Lines 2 and 3 *For "sub-rules (2) and (4)" read—*
"sub-rule (2)."

Page 81.—Rule 29 Lines (2) and (3) *For "sub-rules (2) and (4)" read—*
"sub-rule (2)"

Page 83.—Rule 33 *For sub-rule (4) substitute—*

(4) A license shall not be granted under rule 26, rule 27, sub-rule (1) clause (b), rule 28, rule 29, or rule 30, sub-rule (1) in respect of fire-arms and ammunition therefor by any Magistrate of a district in Burma without the previous sanction of the Commissioner

Page 85.—Rule 36 *For sub-rule (3) substitute—*

(3) every license may, at its expiration and subject to the same conditions (if any) as to consent, or previous sanctions, be renewed by the authority who granted it And in Burma any license to the grant of which the previous sanction of the Commissioner is required under rule 33, sub-rule (4), may be renewed without the previous sanction of the Commissioner.

(H D Note No 1028, dated 17th July 1913)

Page 113. Add to the table the following additional entry—

Forest	Forest Rangers (other than those specified below) and officers of superior rank.	One shot gun and 100 rounds gun ammunition On (sporting) and 50 rounds ball. One sword.
	Forest Rangers in charge of the Upper Murree Kahuta and Kalachatta Ranges	Ditto, and in addition one revolver and 50 rounds of ball ammunition.

(Punjab Govt. Note No. 151, dated the 22nd January 1913)

Page 130.—

Add as clause (u)—

(u) Agent to the Lient.
Governor for Benares.

For the export of gunpowder into the Benares State for such quantities as he deems reasonable.

(For, Department Notification No 1182-G, dated the 19th June 1913)

Act No. XXXI of 1860.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA

(Received the assent of the Governor General on the 17th July 1860.)

An Act relating to the manufacture, importation, and sale of Arms and Ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases.

Whereas it is expedient to regulate the manufacture, importation, and sale of Arms and Ammunition and the right to keep and use the same, and also to give power of disarming Districts and places in certain cases, It is enacted as follows —

Act XXVIII of 1857 continued in force till 1st October.

I Act XXVIII of 1857 shall continue in force until the 1st day of October 1860.

II. No person in India unless authorized by Government, shall manufacture or assist in manufacturing any cannon, howitzer, or mortar, and whoever not being so authorized shall manufacture or assist in manufacturing any cannon, howitzer, or mortar, shall be liable to a fine not exceeding one thousand Rupees, and to imprisonment with or without hard labor for a period not exceeding three years

Manufacture of cannon &c without authority of Government prohibited

Penalty.

III. If any person in India shall, without the permission of the local Government, have in his possession any cannon, howitzer, or mortar, except in the course of his duty as a public Officer of Government, he shall be liable to a fine not exceeding five hundred Rupees for every such cannon, howitzer, or mortar, and in default of payment thereof may be imprisoned with or without hard labor for a period not exceeding one year.

Penalty for possession of cannon, &c. without permission.

Exception.

The provisions of this Section shall not extend to any cannon, howitzer, or mortar, forming part of the ordinary armament of any ship or vessel.

IV. Whenever the local Government shall permit any person to possess any cannon, howitzer, or mortar, such permission shall be in writing and signed by the Secretary to the Government, and shall specify

Permission to possess cannon, &c. to be in writing and to specify number permitted to be possessed

the number of cannon, howitzers, or mortars permitted to be possessed by such person. A fee of fifty Rupees shall be paid on the delivery of such written permission

V. No person shall manufacture, repair, or sell, or keep or expose for sale, any arms of the description hereinafter mentioned, or shall manufacture or sell, or keep or expose for sale, percussion caps, sulphur, gunpowder, or other ammunition, except under a license to manufacture or deal in arms or percussion caps, sulphur gunpowder or other ammunition, as the case may be, and any person who shall manufacture, repair, sell, or keep or expose for sale, any of such arms, or any percussion caps, sulphur, gunpowder, or other ammunition without such license as aforesaid, or contrary to any of the conditions contained in such license, shall be liable to a fine not exceeding five hundred Rupees, or to imprisonment with or without hard labor for a period not exceeding two years, or to both fine and imprisonment, and all arms, percussion caps, sulphur, gunpowder, or other ammunition belonging to the offender shall be forfeited if the Court or Officer before whom the offender is convicted shall so adjudge.

Manufacturing or dealing in arms and ammunition without license prohibited

Penalty

VI The following are the arms referred to in Section V, namely, fire-arms, bayonet, sword, dagger, spear, and spear head.

VI Licenses to manufacture or deal in arms, percussion caps, sulphur, gunpowder, or other ammunition may be granted by a Magistrate, or by an Officer authorized by the Governor-General of India in Council or by the Executive Government to grant such licenses.

Licenses by whom to be granted

VIII Licenses granted under the last preceding Section shall be in the form prescribed by the Governor-General of India in Council, and shall be engrossed on a stamp paper of the value of ten Rupees. The stamp paper shall be furnished by the person applying for the license. A separate license shall be taken out for the sale of sulphur.

Form &c of license.

IX. Every person to whom such license shall be granted shall affix a board in a conspicuous part of his shop or usual place of business, and shall cause to be painted thereon in large letters in the vernacular of the District the words "Licensed to manufacture or deal in arms or percussion caps, sulphur, gunpowder, or other ammunition," as the case may be.

Licenses to affix a board in a conspicuous part of his shop

X. If any person to whom such license shall be granted shall omit to put up a board inscribed as above in a conspicuous part of his shop or usual place of business, he shall be liable to a fine not exceeding one hundred Rupees.

XI. If any person, to whom such license shall not have been granted in the manner prescribed, shall put up such board as aforesaid in his shop or usual place of business, he shall be liable to a fine not exceeding one hundred Rupees.

XII. Licenses granted under Section VII of this Act shall be in force for one year from the date thereof.

XIII. Any person knowingly purchasing arms of the description mentioned in Section VI or any percussion caps, sulphur, gunpowder, or other ammunition from any person not licensed, shall be liable to a fine not exceeding one hundred Rupees.

XIV. Every person licensed to manufacture or deal in arms, percussion caps, sulphur, gunpowder, or other ammunition, shall enter in a book to be kept by him for that purpose, an account of all the stock-in-trade which he may from time to time have in his possession or under his control, and also the name and address of every purchaser of arms, percussion caps, sulphur, gunpowder, or other ammunition sold by him, together with the nature, description, and quantity of such arms, percussion caps, sulphur, gunpowder, or other ammunition. Such book shall be open at all times to inspection by the Magistrate or other Officer duly authorized by Government in that behalf, by whom copies may be taken of all entries therein contained. If any such person shall omit or fail duly to keep such book, or to make therein all such entries as are hereby required, or if any person shall prevent or obstruct the inspection of such book or shall make false entry therein, he shall be liable for every such offence to a fine not exceeding five hundred Rupees, in addition to double the value of any arms, percussion caps, sulphur, gunpowder, or other ammunition sold of which he shall fail to make such entry or respecting which he shall make a false entry, and if the offender be licensed to manufacture or deal in arms, percussion caps, sulphur, gunpowder, or other ammunition, he shall also forfeit his license if the Magistrate shall so adjudge.

XV. The Magistrate or other Officer authorized by Government as aforesaid may at any time enter the premises in which arms, percussion caps, sulphur, gunpowder, or other ammunition, shall be manufactured or kept by any licensed manufacturer or dealer in arms or percussion caps, sulphur, gunpowder, or other ammunition, in order to inspect the stock-in-trade of such manufacturer or dealer, and if any such manufacturer or dealer shall intentionally conceal from such Magistrate or other Officer as aforesaid any part of his stock-in-trade, or shall wilfully refuse to point out where the same is kept, he shall be liable to a fine not exceeding five hundred Rupees, or to imprisonment with or without hard labor for a period not exceeding two years, or to both fine and imprisonment, and any arms, percussion caps, sulphur, gunpowder, or other ammunition belonging to such person may be seized and shall be confiscated if the Magistrate shall so adjudge.

XVI. Any license granted under the provisions of Section VII may be granted subject to such conditions as shall be thought necessary, and may be revoked or suspended by the Officer authorized to grant such licenses whenever he may think fit.

XVII. No cannon, howitzer, or mortar, and no arms, percussion caps, sulphur, saltpetre, gunpowder, or other ammunition, shall be imported either by sea or by land into any part of the territories in the possession and under the Government of India except under a license from the Governor General of India in Council or from some Officer authorized in that behalf by the Governor-General of India in Council.

XVIII. If any person shall import or attempt to import without such license either by sea or by land into any part of the said territories, any cannon, howitzer, or mortar, or any arms, percussion caps, sulphur, saltpetre, gunpowder, or other ammunition, or shall aid or assist in such importation or in such attempt to import, or shall knowingly conceal or assist in concealing any cannon, howitzer, or mortar, or any arms, percussion caps, sulphur, saltpetre, gunpowder, or other ammunition, imported without such license, he shall be liable to imprisonment with or without hard labor for any term not exceeding three years, and also to a fine not exceeding one thousand Rupees, and the articles so imported shall be confiscated if the Magistrate shall so adjudge.

XIX The provisions of the last two preceding Sections shall not extend to arms, percussion caps, gunpowder, and other ammunition imported by any person in reasonable quantities for his own private use, but the Collector of Customs may at any time detain any such articles, if he shall think it necessary, until he shall receive the orders of Government.

XX The Governor-General of India in Council or the local Government may at any time seize all sulphur in the possession of any person, and detain the same for such time as they may deem necessary for the public safety.

XXI. Nothing in this Act shall apply to sulphur kept or sold in reasonable quantities for medicinal purposes.

XXII. The Governor-General of India in Council may by order prohibit the transport of any arms, military stores, lead, sulphur, saltpetre, gunpowder, or other ammunition, or any particular description of arms, ammunition, or military stores from one part of India to another, or the transport thereof in any particular direction to be specified in the order, or prohibit the transport thereof except according to such rules and conditions as may be specified in the order, and the local Government of any Presidency or place shall have the like power within the territories under its Government.

XXIII. If any person shall transport or cause to be transported or shall attempt to transport or cause to be transported, or shall aid in transporting any arms, military stores, lead, sulphur, saltpetre, gunpowder, or other ammunition, contrary to such order, or to the rules and conditions specified therein, he shall be liable to a fine not exceeding five hundred Rupees, or to imprisonment with or without hard labor for a period not exceeding three years, or to both fine and imprisonment, and the articles transported or attempted to be transported shall be confiscated. If any person shall by concealment or other device transport or cause to be transported, or attempt to transport or cause to be transported, such arms, military stores, lead, sulphur, saltpetre, gunpowder, or other ammunition, he shall, in addition to the fine hereby provided, be liable, upon conviction, to imprisonment with or without hard labor for a term not exceeding seven years.

XXIV. Nothing in the last two preceding Sections shall extend to arms,

Provisions of two preceding Sections not to apply to Districts not ordered or liable to be disarmed under Section XXXII

percussion caps, gunpowder, and other ammunition transported by any person in reasonable quantities for his own private use in any District or place not ordered or liable to be

disarmed under Section XXXII of this Act.

XXV. If any person shall be found carrying or conveying any arms,

Persons conveying arms, ammunition, &c. under suspicious circumstances may be apprehended without warrant.

military stores, percussion caps, sulphur, gunpowder, or other ammunition, in such a manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by such person with intent to

use the same, or that the same may be used for any unlawful purpose dangerous to the public peace, it shall be lawful for any Magistrate, Deputy Magistrate, or Assistant to a Magistrate, or Police Officer, or for any other person, to apprehend without warrant the person so carrying or conveying such arms, military stores, percussion caps, sulphur, gunpowder, or other ammunition, and to detain such person in custody in order that he may be dealt with according to law. If any

Procedure if apprehended by others than Magistrates, &c.

person be apprehended by a person not being a Magistrate, Deputy Magistrate, or Assistant to a Magistrate, or Police Officer, he shall be

delivered over as soon as possible to a Police Officer, and all persons apprehended by or delivered to a Police Officer under the provisions of this Section shall be carried before a Magistrate or other Officer competent by law to punish him for the offence or to commit him for trial.

XXVI. If any person shall go armed with or carry any arms of the de-

Penalty for going armed or carrying arms without a license.

scription mentioned in Section VI of this Act without having obtained a license from a Magistrate or other Officer authorized by the

Governor-General of India in Council or the local Government authorizing him to carry arms, he shall be liable to be disarmed by any Magistrate, Joint Magistrate, or Deputy Magistrate, or Assistant to a Magistrate, or by a Police Officer, if in the judgment of such Magistrate or other Officer as aforesaid it is dangerous to the public peace to allow such person to go armed or to carry arms.

XXVII. The provisions of the last two Sections do not apply to—

Exemptions.

Officers, Non-Commissioned Officers, Warrant Officers, Soldiers, and Sailors

Commissioned, Non-Commissioned, and Warrant Officers, Soldiers and Sailors.

in the Military or Naval Service of Her Majesty, in respect of arms and ammunition kept by them for use in the public service.

Volunteers.

Members of Volunteers Corps in respect of such arms and ammunition.

Police and Revenue Officers and other persons in respect of arms and ammunition furnished by Government for use in the public service or provided by themselves with the sanction of Government for such use.

Other persons.

Such other persons as the local Government may think fit to exempt from such provisions.

XXVIII. Licenses to carry arms may be granted by any Magistrate or other Officer specially authorized by the Governor-General of India in Council or the local Government to grant such licenses, and may be revoked or suspended by any Officer authorized to grant such license whenever he may think fit.

Grant and revocation or suspension of licenses to carry arms.
Form of license.
in Council.

XXIX. The license shall be in the form prescribed by the Governor-General of India

XXX The license shall state whether its operation is limited to the person in whose favor it is granted and whom it shall mention by name, or whether it extends to any of his followers. In the latter case the number of the followers of such person licensed to carry arms and the number and description of arms to be carried by each of such followers shall be specified.

XXXI. Whenever a Magistrate shall have reason to believe that any person residing within the limits of his jurisdiction has in his possession any arms of the description mentioned in Section VI of this Act, or percussion caps, sulphur, gunpowder, or other ammunition for any unlawful purpose or that such person cannot in the judgment of the Magistrate be left in the possession of any such arms, percussion caps, sulphur, gunpowder, or other ammunition without danger to the public peace, it shall be lawful for such Magistrate, having first recorded the grounds of his belief, to cause a search to be made of the house or premises occupied by such person or on which the Magistrate may have reason to believe such arms, percussion caps, sulphur, gunpowder, or other ammunition are to be found, and to seize and to detain the same in safe custody for such time as he may deem necessary. The search

Search and seizure of arms and ammunition in certain cases.

in such case shall be conducted by or in the presence of the Magistrate or by or in the presence of a Joint or Deputy Magistrate, or a European Assistant, or by or in the presence of some European Officer, Civil or Military, to be specially empowered by Government

XXXII. Clause 1. It shall be lawful for the Governor-General of India in Council or for the Executive Government of any Presidency or for any Lieutenant-Governor, or with the sanction of the Governor-General in Council for the Chief Commissioner or Commissioner of any Province, District, or place subject to their administration respectively, whenever it shall appear necessary for the public safety, to order that any Province, District, or place shall be disarmed.

Clause 2 In every such Province, District, or place as well as in any Province, District, or place in which an order for a general search for arms has been issued and is still in operation under Act XXVIII of 1857, it shall not be lawful for any person to have in his possession any arms of the description mentioned in Section VI of this Act, or any percussion caps, sulphur, gunpowder, or other ammunition without a license.

Clause 3. Licenses to have in possession any arms of the description mentioned in Section VI or percussion caps, sulphur, gunpowder, or other ammunition may be granted by any Magistrate or other Officer specially authorized by the Governor-General of India in Council or the local Government to grant such licenses, and may be revoked or suspended by any Officer authorized to grant such licenses whenever he may think fit. The license shall be in the form prescribed by the Governor-General of India in Council or by the local Government.

Clause 4. If any person shall have a license from the Magistrate of the District or place at which he resides, or may be, to carry on a journey such arms as the Magistrate may consider reasonable for his private use, and shall obtain from such Magistrate a license stating the name and address of such person, the route by which he intends to proceed, the time which such journey is expected to occupy, and the arms which he is permitted to carry, such license shall have the same force and effect, according to its tenor, in every District or place specified therein, as if leave to go armed had been granted by the Magistrate of such District or place.

Clause 5 In every Province, District, or place which shall be ordered to be disarmed, the order of the Governor-General of India in Council or of the local Government shall be published in the Calcutta Gazette or in the Gazette in which the orders of the Governor-General of India in Council or of the local Government making the order, as the case may be, are usually published, and shall also be made public in such other manner as the Governor-General of India in Council or the local Government shall direct.

Clause 6. Every person who, after the expiration of the time mentioned in such order in any Province, District, or place to which this Section shall be extended, or who after the 1st day of October 1860 in any Province, District, or place in which an order for a general search for arms has been issued and is still in operation as aforesaid, shall have in his possession or custody any such arms as aforesaid or any percussion caps, sulphur, gunpowder, or other ammunition without such license as aforesaid, shall be liable to be imprisoned with or without hard labor for a term not exceeding two years, and also to a fine not exceeding one thousand Rupees, and it shall be lawful for the Magistrate or other Officer mentioned in the order to search or cause to be searched any house or premises occupied by such person, or in which the Magistrate may have reason to believe that any such arms, percussion caps, sulphur, gunpowder, or other ammunition are concealed.

Clause 7. The search shall be conducted by or in the presence of the Magistrate or by or in the presence of a Joint or Deputy Magistrate or European Assistant, or by or in the presence of some European Officer, Civil or Military, appointed by Government to conduct such searches; and all such arms, percussion caps, sulphur, gunpowder, and other ammunition found on such search shall be confiscated.

Clause 8. The provisions of this Section shall not extend to any person or persons exempted by the authority of the Governor-General of India in Council or of the local Government of the proclaimed District, or by any European Officer serving in such District duly authorized by the local Government on that behalf.

XXXIII. If on any such search being made under the provisions of either of the last two Sections, any person having in his possession or power any such arms, percussion caps, sulphur, gunpowder, or

Penalty for refusing to produce or for concealing arms &c, searched for.

other ammunition, or knowing where such arms, percussion caps, sulphur, gunpowder, or other ammunition are concealed, shall refuse to produce or point out the same to the Officer making the search, or if any person shall intentionally conceal or attempt to conceal any such arms, percussion caps, sulphur, gunpowder, or other ammunition, such person may be apprehended without warrant, and shall be liable to imprisonment with or without hard labor for a term not exceeding two years, and also to a fine not exceeding one thousand Rupees

XXXIV. Whoever assaults or resists, or aids or assists any person in assaulting or resisting any person in the execution of any power vested in him by this Act, shall be liable to a fine not exceeding two hundred Rupees, or to imprisonment with or without hard labor for any term not exceeding six calendar months, or to both fine and imprisonment.

XXXV. Except as otherwise provided, all offences under this Act may be tried by any Magistrate, Joint Magistrate, or person lawfully exercising the powers of a Magistrate, unless the period of imprisonment to which the offender may be liable exceed that which the Magistrate, Joint Magistrate or other Officer as aforesaid is competent to award under the laws for the time being in force in the Presidency or place in which such Magistrate, Joint Magistrate, or other Officer as aforesaid is employed. When the period of imprisonment provided by this Act exceeds the period that may be awarded by such Magistrate, Joint Magistrate, or other Officer as aforesaid, the offender shall be committed for trial before the Sessions Judge, if the evidence given before such Magistrate, Joint Magistrate, or other Officer as aforesaid shall appear to such Magistrate, Joint Magistrate, or other Officer sufficient for the conviction of the accused.

XXXVI. Except as aforesaid, all offences declared to be punishable under this Act with fine, or fine and imprisonment, may be tried in the District or place in which the offence was committed, or in which the person charged with the same is apprehended.

XXXVII. A Magistrate may refer for trial and decision any charge of an offence hereby made punishable by fine only, to any of his Assistants, and in such case every such Assistant may exercise all the powers vested in a Magistrate by any law for the time being in force, subject to all the rules applicable to criminal cases deputed to such Assistant acting judicially

XXXVIII The local Government may give general authority to any such

Local Government may authorize Assistant to exercise, without reference by a
 Assistants to exercise such powers Magistrate, any of the powers which they are
 without reference by Magistrate hereby rendered competent to exercise upon
 reference by a Magistrate, subject to appeal to the Magistrate from any con-
 viction by such Assistant within one month from the date of conviction.

Magistrate may call for any case
 pending before such Assistant

XXXIX. A Magistrate may at any time
 call from any of his Assistants, any case
 pending before such Assistants.

XL. If any offence which by this Act is declared to be punishable with

Jurisdiction over British subjects
 committing certain offences beyond
 the limits of Supreme Court

fine and imprisonment or imprisonment only,
 shall be committed by a European British sub-
 ject beyond the local limits of the jurisdiction
 of Her Majesty's Supreme Courts of Judicature, the offender shall be liable, upon
 conviction before one of the said Supreme Courts of Judicature, to the punish-
 ment to which by this Act the offender is declared to be liable upon conviction.

XLI. If any offence which by this Act is declared to be punishable with

Summary jurisdiction in respect of
 certain offences committed within the
 limits of Supreme Court

fine or with fine and imprisonment not exceed-
 ing six months, shall be committed by any
 person within the local limits of the jurisdic-
 tion of any Court of Judicature established by Royal Charter, such offence
 shall be punishable upon summary conviction by any Police Magistrate of the
 Presidency Town or Station in which such Court is held.

XLII No conviction, order, or judgment under the last preceding Sec-

Conviction to be quashed on merits
 only

tion shall be quashed for error of form or pro-
 cedure, but only on the merits, and it shall
 not be necessary to state on the face of the
 conviction, order, or judgment the evidence on which it proceeds, but the de-
 position taken, or a copy of them, shall be returned with the conviction,
 order, or judgment in obedience to any writ of *certiorari*, and if no jurisdic-
 tion appears on the face of the conviction, order, or judgment, but the deposi-
 tions taken, supply that defect, the conviction, order, or judgment shall be
 aided by what so appears in such depositions.

XLIII. All other offences punishable under the Act which shall be com-

All other offences committed with-
 in limits of Supreme Court punishable
 by such Court

mitted within the local limits of any Court
 of Judicature established by Royal Charter,
 shall be punishable by such Court.

XLIV. All forfeitures or penalties imposed under the authority of this Act for offences punishable by any Magistrate of Police or by any Magistrate, or person lawfully exercising the powers of a Magistrate, or Assistant Magistrate, may, in case of non-payment thereof, be levied by distress and sale of the goods and chattels of the offender by warrant under the hand of any of the above named Officers.

XLV. In case any such forfeitures or penalties shall not be forthwith paid, any such Officer may order the offender to be apprehended and detained in safe custody until the return can be conveniently made to such warrant of distress, unless the offender shall give security to the satisfaction of such Officer for his appearance at such place and time as shall be appointed for the return of the warrant of distress.

XLVI. If upon the return of such warrant it shall appear that no sufficient distress can be had whereon to levy such fine, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of such Officer, by the confession of the offender or otherwise, that he has not sufficient goods and chattels whereupon such fine or sum of money could be levied if a warrant of distress were issued any such Officer may, by warrant under his hand, commit the offender, provided he is not a European British subject, to prison, there to be imprisoned, according to the discretion of such Officer, for any term not exceeding two calendar months when the amount of fine shall not exceed fifty Rupees, and for any term not exceeding four calendar months when the amount shall not exceed one hundred Rupees, and for any term not exceeding six calendar months in any others case, the commitment to be determinable in each of the cases aforesaid on payment of the amount.

XLVII. If the offender shall be a European British subject, the Magistrate shall record the facts and transmit such record to the District Court of the District wherein the offender is convicted, and the amount of the fine and costs (if any) shall be levied in the manner provided for the execution of decrees of the Civil Court.

XLVIII. Any fine or penalty levied from any person convicted of an offence under this Act, or any portion of such fine or penalty, may be awarded to the person on whose information the conviction shall take place.

XLIX. No suit, action, or other proceeding shall be commenced or prosecuted against any person for any thing done in pursuance of this Act without giving to such person a month's previous notice in writing of the intended action and of the cause thereof, nor after the expiration of three months from the accrual of the cause of action or other proceeding.

Notice and limitation of suits.

L. It shall be lawful for the Governor-General of India in Council or for the Executive Government of any Presidency or for any Lieutenant-Governor, or with the sanction of the Governor-General of India in Council for any Chief Commissioner of any Province from time to time to withdraw from the operation of all or any of the provisions of this Act any part or parts of any District or place; and in like manner, as occasion shall require, to subject the same again to the operation of all or any of the provisions of this Act.

Parts of District may be withdrawn from the operation of the Act and again made subject to it

LI. Nothing in this Act shall be construed to alter or affect the provisions of any law or other Regulation for the time being in force relating to Licenses.

Act not intended to alter or affect any other law relating to licenses

LII. Whenever an award of hard labor is made under this Act the Court shall not commute such labor to the payment of a fine under Regulation II. 1834 of the Bengal Code.

Award of hard labor not commutable to fine.

LIII. All licenses which may by this Act be granted by a Magistrate may in the Presidency Towns be granted by a Commissioner of Police.

Grant of licenses in Presidency Towns.

LIV. The word "India" in this Act shall mean the Territories which are or may become vested in Her Majesty by the Statute 21 and 22 Vic. c. 106, entitled "An Act for the better Government of India."

Interpretation of the word "India."

LV. The first Section of this Act shall take effect from the passing thereof and all the rest of this Act shall take effect from and after the 1st day of October 1860. This Act shall continue in force for five years from the said 1st day of October.

Commencement and duration of Act.

Proceedings of the Council of the Governor-General in connection with the Indian Arms Act, XI of 1878.

THE HON'BLE SIR E. BAYLEY moved for leave to introduce a Bill to consolidate and amend the law relating to Arms, Ammunition and Military Stores. He hoped the Council would forgive him if he trespassed a little on their patience in introducing this Bill, for it related to a subject which was in itself of very great importance; it was one also of very wide general interest and of very considerable complexity. He therefore proposed to enter on the present occasion somewhat into detail regarding the circumstances which had rendered fresh legislation necessary at the present moment, the course which the Government of India had hitherto adopted in regard to those circumstances, and the particular provisions which it now proposed, to meet the necessities of the case. It would perhaps be remembered that when the present Arms Act was under consideration in this Council, he meant Act XXXI, of 1860—there was much and prolonged discussion. The Bill was very fully considered in all its details in several meetings of the Council. It was very considerably modified during the progress of these discussions. The general result of these modifications and of the passing of certain executive subsidiary orders which were issued while the Bill was under discussion and had been maintained to the present day was to make the Act work smoothly in its most important aspects. But very shortly after the Act was passed, it was found (as was after the case when a Bill was much altered during its progress in Council), that there were several minor defects both of form and substance in the Act—in the definition, for instance, of "Military stores" as to the mode of licensing the transport of arms, and in the definition of "transportation," "exportation" and "importation"—which made it rather difficult to carry out the provisions of the law in a wholly satisfactory manner. The Government of India were however very unwilling to amend, almost immediately after it took effect, an enactment which had been settled after so much discussion, and they preferred to deal as far as was practicable with all these matters by executive action only. Accordingly from time to time a great number of varying orders were passed, with the history of which he need not trouble the Council. There were a good many restrictions, for instance, with regard to salt-petre for it was found that the provisions of the Act threatened to destroy the trade in that commodity. It was found possible in this instance to issue various executive directions by which the mischief was prevented, but in many points the doubts and difficulties raised by the defects of the present Act had remained up to the present time certainly not fully remedied, the inconvenience indeed in this respect was so great, that in 1870 a draft Bill was placed before

the Council and introduced by Mr (now Sir William) Robinson with the sole object of consolidating the law and amending these defects. When it was attempted to proceed with that measure, it was found that after all it raised questions of policy of some importance, and on more mature consideration it was thought expedient to make further inquiries, and to await the result of longer experience of the working of the existing law before proposing any final measure. It was partly on this account and partly from pressure of more important matters, that legislation on this subject had been hitherto from time to time deferred. But the subject had now become in some respects of such urgency that it was considered wise to bring it without delay before the Council, with a view to a more general and complete amendment of the law.

The two leading points which raised questions of policy were, first, the importation of arms, especially cheap fire-arms, and of ammunition, and, secondly, the necessity for restricting and regulating the transfer and transport of arms so as to prevent their reaching the wild tribes without our frontier, and the dangerous classes within our frontier, who ought not be allowed to possess them. There was good reason to believe that, under the existing law, the import trade in cheap arms and ammunition had grown up to an unwelcome extent, and that far larger quantities were exported than were required merely for legitimate purposes. It was known to the Government of India that cheap arms were in fact bought and sold to an extent quite incompatible with the maintenance of peace and good government. With the permission of the Council, he would read some papers which would illustrate this subject. One was from the Government of Bengal, dated so far back as July 1870. In that letter it was written that—

"His Excellency the Governor-General in Council is aware that the subject of the importation of fire-arms and ammunition has lately engaged the serious attention of the Government of India and of this Government, and by the Foreign Department's Notification No 712 dated 28th May 1869, a set of rules was sanctioned for Lower Bengal, which it was hoped would have brought the importation and transportation of arms under a more efficient check than had up to that time been exercised. In practice, however, it is found that the only importers of arms from beyond sea are the regular dealers in Calcutta, to whom, as the law and orders of Government now stand, it is impossible to refuse passes for their consignments, however numerous, so long as no military rifles are among them. This being so, the attention of the Police ought naturally to be mainly directed to checking the transport of arms from Calcutta into the interior. The Commissioner of Police, however, reports that the Police have been unable to exercise any efficient or useful supervision over the transport and sale of arms. The outlets from Calcutta by land and water are so numerous that detection of illicit transport on the way is impossible with existing establishments, and without a most vexatious amount of interference with general trade. Inspection of the dealers' books has never been regularly carried out, and it is represented that not only would it necessitate the appointment of a special officer to control the operations of the 85 licensed dealers in arms, etc., in Calcutta, but the inspection would be of no real value whenever it became the dealer's interest to conceal his transactions. The number of passes for arms which the Commissioner of Police has granted since the passing of the rules in May 1869 is shown in Table A. If this be compared with the extent of the importation as shown below, an idea will be formed of the amount of illicit transport of arms into the interior. It is impossible to believe that the greater part of the arms imported is retained in Calcutta.

"2. Coupled with the fact that the existing rules provide no adequate check upon the trade, there is the further significant circumstance that the number engaged in the trade, and the amount of their transactions, are largely increasing. In 1868 there were in Calcutta only twenty-eight persons licensed to deal in arms, and five dealers in sulphur, in 1869 there were sixty-nine dealers in arms and eighteen in sulphur. From a report by the Collector of Customs, it appears that the import of firearms is yearly increasing. The numbers of arms cannot be given, but the value of the consignments on private accounts is shown on the margin.

1867 68	..	Rs	1,63,736.
1868 69	..	"	2,30,300
1869 70 (Eleven months)	..	"	2,09,785.

"3. The Lieutenant-Governor's attention has been particularly drawn to the operations of one firm. Since March their agents here have imported the arms and ammunition shown in the annexed statement, and there is now lying before Government an application for permission to pass a further invoice of—

Guns, single	..	765
" double	..	270
Rifles, single	..	80
" double	..	25
Gunpowder	lbs	35,000
Caps		61,250
Shot	tons	50
Pistols		200

350 single guns,
250 double "
40 single rifles
20 double "
200 pairs of pistols
500 tons of lump sulphur (nominally for making sulphuric acid).

"4. The Lieutenant-Governor views with some anxiety this great extension of the trade in cheap arms which at present Government is powerless to prevent or control. There can be little doubt that most of these weapons find their way to the frontier, and are there disposed of to the Hill tribes. This has been demonstrated by the large seizures occasionally made in frontier districts like Chittagong and Kachar, and by the reports which reach Government from time to time of the common use of fire-arms by tribes to which they were not long since unknown. Apart, moreover from the smuggling of arms in bulk, there can be no doubt that many guns are conveyed from Calcutta singly by residents in frontier districts on the occasion of any visit to the capital and sold at a considerable profit to the hillmen. On this point I am to draw attention to the accompanying copy of a letter No. 336, dated 18th February last, from the Commissioner of Chittagong.

To this letter were appended several papers giving the opinion of local officers, of which he would read the following extract from a letter of the Commissioner of Chittagong.—

"The Lieutenant-Governor is, I think, aware from the replies made to the inquiries of Government and from other reports and applications, that considerable efforts are being made in this Division to carry out the wishes of the Governor-General in Council as to preventing arms and ammunition from reaching the Eastern-frontier tribes.

"These efforts have been sufficiently successful * * * to be very creditable to the police; but the results have for some time been convincing me that the provisions of the law in force in this Division are insufficient to enable us to put a stop to small and frequent sales.

"A few months ago the then Magistrate of Chittagong, Mr Irwin, made the following observation in reporting on a particular case :—

"As regards arms, the law, as it now stands, seems to me all but useless. Guns can be bought after application to the Magistrate, who can scarcely refuse a license, and then passed from hand to hand till they reach the frontier."

"Without agreeing with Mr Irwin as to the difficulty of refusing licenses, I agree with him that the law does not go nearly far enough, and that as it stands, guns can be passed from

hand to hand without much difficulty. Section 26 of the Arms Act only provides for the disarming of persons who are found with arms, etc., in their possession without a license, and there is no other penalty. Considering the value of arms to the Lushais and Shindus, it will be readily conceived that the slight risk of being now and then disarmed is compensated for many times over by successful sales at high prices."

And another Commissioner of Chittagong, writing at the time of the Lushai expedition quotes one of his subordinates as saying.—

"Nearly all the guns with which the Lushai- Kukis are armed have been obtained in the first instance from Calcutta."

Again in 1872, a resolution of the Bombay Government notes the large trade in cheap arms which had suddenly sprung up. In 1871 the importation was double that of 1869, nearly 5000 fire-arms having been sent up-country openly from Bombay in 1871, the enormous bulk of which consisted of military weapons, and a fair proportion of these were breech-loading arms of precision.

Many of these arms went to Karachi, and as early as 1865 it was reported as follows by an officer writing from Rajkot :—

"While our Native troops are armed with the smooth bore muskets only, a large trade in Enfield pattern long range rifles has of late sprung up in the sadr bazar, and I believe in the province generally. During the months I was in charge of the sadr bazar two such consignments arrived of which the following is a description

"A rather rough trade-made long Enfield with brass mountings, very fairly bored, the rifling being uniform instead of progressive as in the Government arm. The different parts are well and strongly made up, and it is altogether a very serviceable arm. The price asked is Rs 40"

"A large number of this description of arms has lately been imported from Bombay, and I observed that Messrs '———' & Company were advertising the expected advent of 1000 long Enfields.

"The rifles which reach the district are obtained principally through the small Memon merchants of Bombay."

A similar complaint was about the same time made by Colonel Keatinge, then in Kathiawar, who forwarded a letter from one of the Chiefs under his Political Agency, explaining that it was necessary that his troops should be armed with arms of precision to enable them to cope with lawless robber bands already similarly armed.

In 1872, also, the Agent to the Governor-General in Rajputana complained of the way in which arms and ammunition were sold by travelling merchants from Bombay :—

"The arms are good weapons and are sold at low rates, a double-barrelled fowling-piece being procurable for from Rs. 25 to Rs. 30."

and he goes on to speak of a sale of nine double-barrelled guns to a gang of refugee Meenas (a notoriously robber-tribe), and adds.

"This is only one instance of the way in which these weapons are being purchased by Meenas, Bowrees, Mogheas and other predatory tribes."

and

"unless some measures to restrict their sale are speedily taken, their possession by the predatory bands will extend. Wherever they have been introduced in any numbers, the predatory hands are becoming too powerful for any Police, and unless checked, I apprehend a time will soon arrive when Government will be obliged to hunt down and disarm these tribes by British troops."

Later on, the Political Agent in Marwar reported in describing the proceedings of certain outlaws.—

"The Bullana Meenas were armed with percussion-guns, which, being now so easily procured from Bombay, are in the hands of all the bad characters of the country."

And in another place he speaks

"Of arms of precision being commonly found in the hands of brigands and of outlaws."

In 1872 the Bengal Government again complained that the evil was increasing, and that licenses for nearly 5000 weapons had been granted at prices the maximum of which was rupees 15 for double barrelled, and rupees 9 for single barrelled,* weapon, and the annual value of the imports of arms and ammunition was said to be about two lakhs of rupees.

* Some were said to cost only 8 shillings

The Lieutenant-Governor of Bengal attempted, and temporarily with beneficial results, to check this flood of cheap arms by refusing, as he was empowered to do under the existing law, permission to import weapons under a certain minimum value, but it was obvious that, under the present system of a duty levied *à la valorem*, the Lieutenant-Governor's measures could be evaded either by raising the invoice prices above the real value at the cost of a slightly enhanced duty, or by importing arms in parts—a process which had been attempted.

But the trade in ammunition had under the present law in no way been checked, and was enormous. It was known that in four years—from 1871 to 1874—one hundred millions of percussion-caps had been exported into Calcutta, of which not more than fourteen millions were legally re-exported. Again a very large quantity of gunpowder and a large quantity of cartridges were similarly imported; and he was informed that an application was recently made by a single Firm to import 7 lakhs of caps and 14000 pounds of gunpowder monthly, an amount which could not represent any legitimate demand. In fact it was known that considerable numbers of arms and much ammunition had been, and continued to be, illegally exported, and seizures had been made, in the Punjab for example and *en route* to the Eastern frontier and to Upper Burma, which left no doubt that a considerable illicit traffic was being carried on in such articles, with tribes more or less hostile beyond our territories.

Indeed we know that the frontier-tribes on our Punjab border were supplied in considerable numbers with excellent arms of precision, some of which, not being of patterns ever used in the British Army, could only have been supplied by private importation.

He had given these instances, not as exhausting the subject, for, as a matter of fact, there was a mass of further correspondence all to the same general effect, but as perhaps sufficient to illustrate the necessity for further legislative action in this direction.

It was indeed the frequent and urgent representations made on this head which had decided the Government of India, after consulting the various local Governments and Administrations, to introduce two new provisions into the law.

The first of these was the levy of a duty—not of an *ad valorem* duty as at present, on arms imported, but a fixed duty—which would operate to check the importation of cheap arms, while it would interfere but little more than the existing duty did with arms of medium value, and still less with those of a more expensive character.

It was understood, for example, that a very good Martini-Henry rifle could be imported into this country at a maximum cost of rupees 35, and other arms at a still lower price. In some cases, as had been seen, a gun could be imported on an invoice-price of eight shillings.

The existing duty was an *ad valorem* duty of ten per cent. (Act XVI, 1875, Schedule A, Art. 2—Arms, Ammunition and Military Stores.) It was proposed to substitute for this a fixed duty of rupees 50 for each gun, and of rupees 20 for each pistol, a proportionate duty being fixed on all parts of such weapons in order to prevent attempts such as had actually been made to introduce the different parts of fire-arms piecemeal.

He only stopped to notice an argument to which some reference would be found in the papers to be placed before the Council, namely, that, by checking the importation of cheap arms, the manufacture of such arms in India would be stimulated to an undue and dangerous extent.

The truth was however that unless by machinery, the importation and use of which would not be permitted, it would be impossible to manufacture such arms, at least in any numbers, at a cheap rate. The skill which would enable an artisan, by hand labour, to imitate even the guns imported for a few shillings, would usually command in other work a remuneration so high as to detach him from the manufacture of cheap fire-arms, moreover, the manufacture of arms within India could be controlled far more easily than their importation.

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As regards ammunition, etc., the existing law would be preserved intact. Local Governments would be instructed to refuse licenses for the importation of excessive quantities, and its sale and storage would be placed under more stringent restrictions, which would render difficult its disposal for improper purposes after importation.

The law would also be altered so as to permit a stricter regulation of the transport of weapons and ammunition in India, and would impose heavy penalties on illicit transport, especially when any attempt at concealment was made.

There would also be found in the Bill another measure for remedying the evils above described, the necessity for which had been admitted by the Government of India not without much hesitation and only after the almost unanimous expression of opinion by Local Governments and Administrations and of their executive officers as to its necessity. The existing law, it would be perhaps remembered, practically divided the country into disarmed and undisarmed districts or provinces, and while certain somewhat stringent regulations, applied to the former, no restrictions at all, except as to the importation of arms and manufacture of arms, applied to the latter.

It had been shown however that it was practically impossible to prevent or control the transmission of arms to the disarmed districts, or to the frontiers of India, unless some regulation was adopted as to the possession and transfer of arms in the non-disarmed districts. If an Agent could buy and collect arms and ammunition without any notice to the Police, or other let or hindrance, in a non-disarmed district, there was no other difficulty to be overcome in transmitting them to places beyond but the regulations against illegal transport, the risk of evading which was comparatively small, indeed, as a matter of fact, several concealed consignments had been seized, and yet it had, he believed, not been found possible in any single case practically to reach either the real sender or consignee. Even, therefore, though it was intended to make the rules as to transport more strict and the penalties for their evasion somewhat heavier, it would still be impossible to maintain any effective control over the traffic in arms with disarmed or frontier districts, unless the possession of arms elsewhere was more or less under control.

He might say that this opinion had been expressed, not merely by the Governments of disarmed provinces, but also by two at least of the Governments of two great non-disarmed provinces—Madras and Lower Bengal.

It accordingly was intended to extend to *all* districts, without exception, the provision for making the possession of arms without a license illegal, and to make the sale of arms to persons not holding such a license a criminal offence.

It would also be provided that licensed dealers in arms should keep regular books, and that private persons selling arms should register the transfer at the nearest police office.

These provisions would, however, be tempered by the maintenance of all the executive exemptions already in force under the existing law, and by making prosecutions for possessing arms legal only under the order of the Magistrate of the district, moreover searches for arms would not be made except in the presence of specially selected officers, and only on occasions when there was good reason to believe that an offence was being committed

With these restrictions, and with judicious rules for the grant of licenses, which the Bill would give the Government of India power to make, it was to be hoped that the provisions of the Bill would not be found more stringent than necessary, or in practice in any degree harsh or oppressive.

It would not in all cases, for example, probably be necessary to make the licenses renewable annually, or the levy of a fee for a license usually more than sufficient to recoup the cost and trouble of preparing the license.

Having thus explained the policy of the Bill, he would only add that the proposals now put forward, however stringent they appeared, had not been made without a full conviction on the part of the Government of India that they were necessary to the preservation of peace and good order. And it was to be remembered that such legislation, indeed more stringent legislation, was not without precedent even in Europe. Without going further than the British Statute-book, the Irish Acts of 1836 and 1871, &c., provided that persons knowingly having arms in possession were liable to imprisonment with or without hard labour for two years, that persons found carrying arms could be arrested by any private individual, that licenses could be revoked by proclamation, and the owners compelled to deposit their arms and ammunition in such places as might be mentioned in it; that dealers could not sell to persons not duly licensed. Indeed so stringent were the provisions of those Acts, that a person desirous of carrying a revolver for his own protection must obtain a special license.

Of course the Government of India did not expect (nor probably did any one else) that the measures proposed would be absolutely effective to prevent altogether the illegal importation, sale and transport of arms and ammunition, but it was hoped and believed that they would, if judiciously enforced, suffice to restrain illegal trade within comparatively harmless dimensions.

In conclusion he would only say, that if he obtained the leave of the Council to bring in the Bill which had been prepared, he would then take the opportunity of explaining the clauses which had been drawn to give effect to

the policy he had described, and would explain the other new provisions chiefly designed to clear up doubts which had arisen from the wording of the existing law.

LIEUTENANT-GENERAL THE HON'BLE SIR E JOHNSON said that after the very exhaustive speech of the mover it was perhaps unnecessary for him to say anything. But he felt specially glad, as a military man, that the Government had decided to deal with this most important subject. When he said that he spoke as a military man, he meant that he spoke in the interests of our own soldiers. Since the time referred to in one of the papers from which Sir E Bayley had quoted, he was happy to say that our soldiers have been placed in a much better position than that in which they were then, for a great portion of the army has received arms of precision. But there are still troops, especially local Corps and military police, who are without such arms. These men might be brought into conflict with robbers, dacoits, and illdoers of every description, who are in possession of arms of a superior description to those with which our own troops were armed. It placed soldiers in a very false position to be liable to be brought against men armed with arms of precision very superior to those which they themselves possessed, and therefore he thought it essentially, important that the question should be dealt with by a legislative measure of the kind now proposed.

But not only as regards the importation of arms but equally important was the prevention of the manufacture of fire-arms and ammunition in this country. The hon'ble mover and the members of this Council were no doubt perfectly aware, that recently the Government had had before them as a fact that an admirable cap manufactory existed in a city near one of our military stations. The caps turned out in that manufactory were almost equal to those which the Government supplied to their troops, and it was also well known that the Native artisan was so excellent a manipulator, and, like the Chinese, copied so well, that the arms and war-like implements he turned out were not to be distinguished from those of our own troops. And therefore when the Council was dealing with the illegal importation of arms, they were equally bound to deal with the manufacture of such arms in this country.

SIR E. JOHNSON had had the privilege of looking over this Bill and he confessed that he did not see any loophole by which the provisions and intentions of Act could be avoided.

The Motion was put and agreed to.

THE HON'BLE SIR E. BAYLEY introduced the Bill to consolidate and amend the law relating to Arms, Ammunition and Military Stores, and moved that it be referred to a Select Committee. He had promised on the last occasion in introducing the Bill, to afford some explanation of the different sections of

the new law which had been proposed with the view of meeting the special difficulties which rendered the introduction of the Bill itself necessary. The whole Act, he might say, had been drafted and recast, although its substance was very much that of the present Bill. But it had been rearranged and made more concise and put into a more intelligible and compact shape by his hon'ble friend Mr. Stokes and Mr. Fitzpatrick. There would, no doubt, be many points of drafting in which the Bill might be improved while passing through Select Committee, and he did not propose at the present moment to say that every particular provision of the Bill was in a form in which he should like to see it in its ultimate shape. He thought, however, that, as it was now drawn it stated the precise policy which the Government of India wished to enforce.

As he had explained at the last meeting of the Council, one main object of the present Bill was to obtain stricter control over the importation of cheap fire-arms, and also on their possession, even in the non-disarmed parts of India, so as to prevent their transport and sale without and even within, our own territories or frontier and their transfer to persons into whose possession it was essential to the peace of the country that such arms should not come. He would, however, before proceeding further, draw attention to the first and twenty-third sections of the Bill, which contained all the exemptions at present in force, and the Council would see further, that the Bill contained provisions for the continuance of similar exemptions. He would state to the Council what the chief of these exemptions were; first of all, all Europeans, Americans, and Anglo-Indian subjects were exempted, then certain Chiefs, Jagirdars and other Natives who were specially exempted by the Local Government under the powers given to them. Again, for example, in the Punjab, all honorary Magistrates and Police Quildars, who were a class of honorary officials below the degree of Magistrates, were exempted. He merely mentioned these examples to show how wide the scope of present exemptions was, and he wished to point out that every exemption existing under the present law would be continued and would not be affected by the passing of this Bill, and the Local Governments and the Government of India would have similar powers to continue or to renew or to extend these exemptions in future.

Section 4 of the Bill defined "ammunition" "military stores" and "arms" and also contained various other definitions. The particular feature in these definitions was the separation of the definitions of "ammunition" and "military stores." This was a new feature, and the Council would find that this difference affected the Bill, in as much as "military stores" included a great many articles which were also used for other purposes and therefore the absolute restrictions as to these articles were very much less stringent than as to what were called "ammunition." In fact he might say generally, although it did not exactly

express the fact, that power was given to the Government to restrict the transport of military stores, rather than that their transport was absolutely restricted by the Bill. He had mentioned at the last meeting of the Council that some very considerable difficulties had occurred from the want of proper definitions in this respect, and that, for example, for the time considerable inconvenience was felt in the saltpetre trade, from the want of the separate definition now introduced.

Section 5 of the Bill, or rather a clause of it, contained a new provision in regard to the sale by private persons of arms and ammunition. It had been found as a matter of fact, and it was only very natural that persons buying arms and ammunition perfectly *bona fide* for their own use, ceased to require them, and then sold them to the first purchaser: in that way a considerable number of arms had got into hands to which it was not desirable that they should pass. There would therefore be two restrictions on this point: one that it would not be legal to sell such arms to a person who was not licensed to possess them; and secondly, that any private person selling arms or ammunition would have to give notice thereof to the nearest Police Station. Sir E. Bayley did not think that in practice this would be found a very oppressive, or harsh provision, while at the same time he believed that it might prevent a good deal of mischief.

Section 7 referred to the duties on cheap fire-arms. He explained this part of the subject at so much length on the last occasion, that he would not detain the Council at present with any further remarks upon it. The Council would find in the second schedule attached to the Bill the specific duties it was proposed to levy on fire-arms and military stores, including parts of fire-arms. This schedule had been prepared with some difficulty, for it required a good deal of technical knowledge to fit it exactly to the facts and necessities of the case. He hoped that, when the Bill went into Committee, his Colleagues would assist him in making this schedule, as perfect as it could be made.

Section 11 referred to the general restriction which it was proposed to place on the possession of arms all over the country, without reference to the fact whether specific districts were included under what was section 32 of the old Act, whether, that is to say, they were "disarmed" or "undisarmed" districts. It was intended that the necessity for a license should extend to the whole country. He would point out, however, that the last two clauses in this section were intended to meet any difficulty which might be felt by persons who now possessed arms, and it would be seen that this section would not come into force for three months after the date on which the Bill came into force, so as to give time and opportunity to a person who did not care to take out a license to dispose of his arms, or to take out a license if he chose to do

so; and if he could not sell them or care otherwise to get rid of them, he would be allowed by the third clause of the section to deposit them at the nearest Police station.

Section 22 was somewhat wide in its terms, but it was a generalization of Section 20 of Act XXXI of 1860. The Council would see that sections 25 and 26 of the Bill maintained, in respect to searches in the undisciplined districts all the existing restrictions as to prosecutions and searches to be made, and did not specially extend, but were on the contrary rather intended to mitigate the severity of the law. Under section 25, in such cases no prosecution could be instituted against any person without the previous sanction of the Magistrate of the District; and by section 26 a search under similar circumstances must be in the presence of some person specially appointed by name by the Lieutenant-Governor in this behalf, and not otherwise; that was to say, an ordinary Police-officer would not have the power of making searches without any special authority or guidance, but in every case some special selected officer of some rank and position would be employed in making searches.

SIR E. BAYLEY did not know whether there was anything else which was new in the Bill as to principle. As he had said before, the subject was a very complicated one, and the drafting of the Act had been one of great difficulty. If hereafter any blots were found in it, he was sure that the Select Committee would be very glad to consider them, and to amend them so as to meet any difficulties which might arise. He did not know how long the Committee would sit, but the Bill would be no doubt in their hands for some time, and both the public and the members of the Council would have the opportunity of bringing to notice any special points which might occur to them.

The Motion was put and agreed to.

THE HON'BLE SIR E. BAYLEY also moved that the Bill be published in the *Gazette of India* in English, and in the local gazettes in English, and in such other languages as the Local Governments direct.

The Motion was put and agreed to.

THE HON'BLE SIR EDWARD BAYLEY presented the Report of the Select Committee on the Bill to consolidate and amend the law relating to Arms, Ammunition and Military Stores. He said that as the Bill was one of considerable interest to the public, and as many objections had been made to it in the shape in which it originally stood, by persons of all classes, it might perhaps be advisable to give some sketch of the alterations which the Select Committee had introduced in the Bill with the view of meeting such of those objections as seemed to them valid.

One part of section 5 of the Bill as introduced required all persons, other than licensed vendors, selling arms or ammunition, to give notice in all cases to the officer in charge of the nearest Police Station. In the new Bill, this was now dispensed with where the purchaser was a person exempted under Section 27, and it was further provided that notice, where still necessary, should be given to the Magistrate of the district instead of at the Police Station, which, specially in the case of transactions in which Europeans were concerned, might sometimes be more convenient to the parties. As he should have occasion to point out, another provision had been introduced, which, with practically very much less inconvenience and irritation to private parties, secured the objects which it was intended to secure by these provisions of section 5, and they might therefore safely be omitted.

In respect to the duties imposed under section 7 of the Bill, very much comment had been elicited alike from the Public Press, the Local Governments, and private persons. The objection commonly taken had been that these would press unfairly upon those who were loyal and well-disposed, and who were desirous to obtain arms, whether for sporting or other legitimate purposes, especially in those districts bordering upon forests or other places infested with wild beasts, and where fire-arms were required as a means of protection for themselves or against the destruction of their crops. Those objections were doubtless well founded, and to meet them the Committee had provided that when persons exempted or excused themselves imported any firearms, or purchased them from the importers, they would be entitled to a drawback upon the duty specified in the schedule, which would bring it down to the level of the duty at present in force, and also would not exceed in any one case ten per cent. *ad valorem*. As a matter of fact, this alteration would produce a slight reduction in the duty now payable upon the higher classes of firearms. There was also a provision which was not entirely new, though new to this Bill. It was a section which was inserted with the object partly of drawing attention to the provisions of the Customs Act, and partly with the object of applying them in a slightly modified form to the importation of arms. That was to say, it permitted the conversion of the private shops or officers of an importing firm into bonding warehouses, in which they might store the arms imported, and pay duty upon them only as they were withdrawn for sale. This amendment was introduced to meet an objection which had been made, a legitimate one, by a large firm, that they would otherwise have to pay down on importation a large amount of duty, and, perhaps, it would be a long time before they get any return. This provision would meet that objection.

With regard also to the schedule of dutiable articles, some minor articles had, on reconsideration, been struck out of it, and with regard to all

other articles which were the appendages of fire-arms, it was provided that, when they were imported and fitted in the same case as the fire arms, they would be exempt from the payment of duty.

The next alteration to which Sir Edward Bayley would refer was that, while the draft Bill provided for importation by sea, it overlooked the possibility of importation by land. There were several foreign sea-ports on the coast, and this fact made it necessary to introduce provision for importation by land also, and therefore the clause which applied to importation by sea was made to apply also to importation by land.

There was another clause which was new, and which was the only point in which he thought the Select Committee had increased the rigidity of the Bill; but it had been inserted on the special recommendation of the Lieutenant-Governor of the Punjab. The new clause empowered the Local Government, with the previous sanction of the Governor-General in Council, to appoint searching-places at certain points within our frontier, whenever there was a belief that arms and ammunition were likely to be exported over the frontier.

In section 11 of the Bill there was also a very material alteration. As introduced, the Bill prohibited the possession of arms of any description without a license. In that form it would have been an unnecessarily sweeping measure, and in fact, the form which the original Bill assumed in this respect was due perhaps to an oversight. Under the old law a difference was made, as he had explained before, between certain proclaimed and unproclaimed districts, and that difference was practically swept away by the draft Bill. The Committee had thought it right to restore that distinction so far, that in a district proclaimed the possession of all arms would need to be licensed, but in a district which was not proclaimed, licenses would only be required for the possession of fire-arms.

There was another difficulty in regard to the disposal of arms which were deposited under sections 11 and 14,—that was to say, arms which came properly into the possession of people, but in which the legal possession of them had ceased and which therefore came under the custody of the Police. It had been provided that they should remain for a year liable to be claimed by the owner in one case, and in another case, which was a more difficult one, for three years. If at the end of that time there were not claimed and legally dealt with, they would be forfeited.

There was another question which was a matter of greater difficulty, and the Committee were unanimous in opinion regarding it. It referred to the levy of fees for licenses to possess, but not for licenses to manufacture or import or transport. On the whole, considering the many difficulties

which existed, it was considered advisable that the former class of licenses should be freed from taxation. It was a matter of some difficulty, because it somewhat affected the resources of the Local Governments, which had hitherto derived some revenue from this source. But he thought the arguments which convinced the Committee ought to prevail; the question, however, was one which was open to discussion hereafter.

There was another section also of some degree of stringency which was taken from the Code of Criminal Procedure. Section 28 required information to be given by any person who had a knowledge of any offence committed against the provisions of the proposed Act. A clause to that effect existed in the Criminal Procedure Code, in regard to many offences of a nature parallel to those punishable under this Act, and all that had been done was practically to apply that section to the present law.

Then in Section 32 came another new provision, which was intended to take the place of that in Section 5 of the draft Bill, which required notice to be given at the Police office by persons selling arms. The real object of this provision was to enable the Government to know where arms were held, and to detect whether they had been legally imported or otherwise. All that was intended was that persons who possessed arms should be held liable to fill up returns when required to do so. The Committee did not think that that was an unnecessary interference with private convenience, it was a form of inquiry which would give very little trouble, would not be frequently resorted to, and which might be of great use.

Beyond these there were some minor alterations in the details of the Bill. But they were almost all purely matters of drafting, intended to bring the provisions of the Code into harmony with other enactments, and to make its meaning clear.

Under these circumstances, as almost all the changes which had been made, although of some importance, were in the interests of the public and in the direction of relaxing the stringency of the Bill, the Committee did not consider that it need be republished as altered by them.

THE HON'BLE SIR EDWARD BAYLEY moved that the Report of the Select Committee on the Bill to consolidate and amend the law relating to Arms, Ammunition and Military Stores be taken into consideration. He said that, in presenting the Report of the Select Committee, he had called the attention of the Council to the very considerable alterations which had been made in the details of the Bill, and for the present he would say no more upon that subject. He wished to address himself on this occasion rather to

the objections which had been taken to the principle of the Bill. They had been told that no case had been made out for the Bill; that it was apparently entirely unnecessary. One representation which they had had from the British Indian Association went so far as to say that no facts or arguments had been adduced to establish the necessity for such rigorous legislation. Well, he really did not know what evidence would satisfy every one. He thought he had been at some pains, when he moved for leave to introduce the Bill, to show how urgently the necessity for some such measure had been for many years persistently pressed upon the Government of India by almost every Local Government and Administration. He mentioned also certain statistical facts which proved the existence of a large and increasing traffic in the very description of arms which it was most undesirable should be introduced into India, and the Council had still been told that no case had been made out. So far as he could understand, the only statement to contravene the evidence he then adduced was, first, that the importation of arms and the value of arms had been diminishing during the last five or six years, instead of increasing, and in the second place that a great number of people had been destroyed by wild beasts. He did not in the least propose to controvert either of those statements, but he had taken pains to show, when he introduced the Bill, that he was perfectly aware of the fact that a diminution had taken place in the actual imports of arms, and he gave the reason for it, that was to say, that the Government of India had put into force certain powers which possessed under the Customs Act of absolutely prohibiting the importation of arms of a certain description. Well that was a very useful power, and one which the Government proposed to retain. It would supplement very effectively the provision of the present Bill. But he also pointed out that it was one which by itself was very easily evaded, and that the Local Governments were not satisfied with it, that they asked for more power, and were not apprehensive that these additional precautions would be abused. He went further, and had told the Council that the Government of India were in possession of information which showed that the importation of arms would, if the existing law were not supplemented by a fresh and more stringent legislative enactment, very soon be very largely and injuriously increased. He thought himself that that was sufficient evidence of the necessity for the Bill, even if it had not been supplemented by the very definite expression of opinion by his honourable friend the member in charge of the Military Department, whose opinion on a subject of that character should, Sir Edward Bayley thought, be received as decisive. However, if more evidence was wanted,—that is, if those who had denied the necessity for the Bill wanted more evidence—he would say that this Bill had now been published. It had been commented upon with very great care, he was gratified to say, by a large number of local officers

and he had noted something of the result. A great many, in fact a large majority who had been consulted had not taken any notice at all of the principle of the Bill or the necessity for it. But he might say that in their remarks almost all of them had implied their approval of the Bill. But a considerable number of those officers had gone out of their way in express terms to approve of the Bill and to declare the necessity for it. He would mention some of them.

The Punjab Government thought the provision for controlling the possession of arms a wise and salutary one. *The Commissioner of Derajat* considered the Bill salutary and called for. *The Commissioner of Multan* thought the provisions of the Bill salutary and urgently called for. *The Commissioner of Jalandhar* thought the Bill urgently needed. *General Keyes* had long since pointed out the need for amending the law and approved the Bill. *The Inspector-General of Police* approved of the Bill, and argued that it should be made more stringent.

In Bengal *the Commissioner of Dacca* had no doubt of the expediency, if not of the necessity, for controlling the present facility for acquiring arms. *The Commissioner of the Presidency Division* called the provision of the Bill good and suitable. One of the most distinguished Judicial officers in Bengal *Mr. Field*, goes out of his way to call it a wise and necessary measure.

In the Berars, *Sir R. Meade* entirely approved of the provisions of the Bill. *The Commissioner of the Hyderabad Assigned District* thought the Bill admirable in intention and scope, and admirably drawn.

In Bombay *the Government* approved of the Bill generally. *The Commissioner in Sind* did the same. *The Commissioner of the Central Division* had for years advocated a similar Arms Act. *The Commissioner of the Northern Division* thought the Bill would undoubtedly meet a great want.

In the Northern-Western Provinces *the Government* approved of the Bill subject to some amendments. *The Commissioner of Jhansi* called it an excellent and very necessary Bill.

In the Central Provinces *the Chief Commissioner* thought the necessity for the Bill as an imperial measure was proved.

In Madras *the Government* approved the principle of the Bill. One Collector, *Mr. Thomas*, said he had himself recommended a Bill on the same lines. Another, *Mr. Webster* said the measure was imperatively required.

Well, SIR EDWARD BAYLEY hoped, although he could not expect to satisfy every one, that these expressions of opinion might be taken as sufficient. He could say that almost every officer who had been consulted had either as he had said, expressly or impliedly approved both the principles of the Bill and the direction in which it went. There was actually only one exception, and all that was necessary to say of it was that the exception seemed to prove the rule. Sir William Robinson in Madras had no doubt taken the exact line which the British Indian Association had taken. So much for the necessity for the Bill. They had been told, it had been said in some quarters, that the Government had brought in the Bill under the influence of a scare. Well he thought he had shown, and the papers had shown to the Committee, that, so far from this being the case, for at least eight successive years the Government had been pressed to pass a Bill precisely on these lines, that they resisted doing so until the necessity for it was absolutely shown. So far from the Bill being passed under a scare, he might say that some of the most important information showing the necessity for the Bill had only been received since it had been introduced.

He would not trouble the Council with any further general details of the Bill. There were a number of objections taken, and he was bound to say that some of them had been taken with great force, and had proved very useful to the Committee in settling the details. He might class them into three classes, first, that the Bill was too stringent, unnecessarily severe, and that a portion of it was not workable. He was bound to admit, and he had pointed out when the Bill was introduced, that there was a slight oversight in drafting; that the Bill in its original shape had certainly been made somewhat rigid by the old provision as regards the proclaimed districts having been removed. But that had been altered in Committee by the restoration of this provision. In the next place they were told that the Bill was too severe. He had pointed out how largely the Committee had modified the severity of the Bill by amendments which they had made. He had himself assented to those amendments; but he thought that if they erred in any way, they erred, perhaps, somewhat in the direction of over-relaxation. Personally, however, he was contented with the Bill as it stood, with the exception of a trifling verbal amendment which he proposed to move on the present occasion. Then again, they were told that some of the provisions of the Bill were not clear, the objection thus taken was doubtless good, and the Committee had done their best to remedy the defect. He trusted that the Council would, on looking over the Bill in its present shape, be willing to agree, first, that a case had been made out for the Bill, and for a Bill drawn on the lines of the present measure, and secondly, that the Bill had been shorn of most, if not all, of its objectionable features. At any rate, he must thank the Committee for the very patient attention they had given to its provisions and the trouble they had taken to make the Bill workable.

The Motion was put and agreed to.

The HON'BLE SIR JOHN STRACHEY, with the permission of His Excellency the President, moved the following amendment—

First, that in Section 17, clause (b) for the words "except a license for possession," the following be substituted, namely:—

"Granted in a place to which section 32, clause 2, of Act No XXXI of 1860 applies at the time this Act comes into force, or in respect of any such license other than a license for possession granted in any other place"

Secondly, that in Section 17, Clause (c), for the words
 "except as aforesaid,"
 the words

"other than a license for possession"
 be substituted.

The object of the amendment was to impose a license for possession of arms of all kinds in those parts only of the country which had been already disarmed under the provisions of Act XXXI of 1860. His motive, he must explain, in bringing forward the present amendment, was partly a financial one, although that was not his principal object. He hoped to be able to show to the Council, looking at the matter from a financial point of view, that the privilege of possessing arms in part of the country which were already disarmed, and to which alone he now referred, was a legitimate source from which to derive revenue, and that it was a point of some importance in connection with the late measures for extending the financial powers and responsibilities of the Local Governments. He said that, as a source of Imperial revenue, the receipts from fees of this kind would, no doubt, be quite insignificant, but from a Provincial point of view they were not without importance. As an illustration of this importance, he might mention that in the North Western Provinces, with which he was best acquainted, it was calculated that such fees levied upon a very moderate scale would yield not less than one lakh of rupees a year—a sum which would be very valuable as an addition to the Provincial finances. It would be difficult in his opinion to find any other way of raising such a sum which would be open to fewer objections. For levying such fees was taxing a luxury, and had all the merits of that kind of taxation. He knew, of course, that there were tracts of country where, from the great numbers of wild beasts or the proximity of turbulent neighbours or from other dangers, arms were a necessity, a necessity and not a luxury. Where this was the case, no one could recognise more fully than he did that we ought to do nothing whatever which could in the slightest degree interfere with the means of protection which the people really required in those tracts. But such parts of the country were exceptional, and they could be sufficiently provided for under the powers of exemption which the Bill conferred on the Government. Leaving them out of sight for the present, and speaking of the disarmed tracts to which alone his amendment could apply, he affirmed, without hesitation, that the privilege of possessing arms was a luxury. It was usually sought for, not so much on account of the protection afforded by the arms as because they enhanced the dignity of the wearer, and conferred upon him some kind of personal distinction. He could recognise no reason for exempting persons who wished for a privilege of that sort from paying something for it. He would go farther and say that he could hardly call to mind any more available and legitimate means of obtaining revenue than that of calling upon people who desired such marks of distinction to pay for them. Such a source of income fulfilled all the conditions which were required in taxation. The amount payable would be certain and easily known by every body. No one need pay it at all who found it inconvenient to do so. And

those who did pay would contribute in proportion to the advantages obtained by them. Exception had, he knew, been taken to the proposal on the ground that it might offend against another fundamental rule of taxation by compelling the tax-payer to pay more than was likely to find its way to the treasury. It had been said that, to levy fees on licenses for the possession of arms might give opportunities for oppression and extortion, and might do more to enrich the underlings of the Magistrates' Courts than the public treasury. Sir John Strachey thought that this objection would not be found good upon examination. He had already said that the operation of his proposed amendment would be confined to those districts in which the possession of arms was prohibited, and in which there was no intention of relaxing that prohibition. In such places it was impossible to dispense altogether with licenses. Section 15 of the Bill made provision for the grant of such licenses, and it was obvious that without them the Government had no means of keeping itself informed, or of controlling the number, of arms which were from time to time in the hands of the people. But if licenses were required at all, the objection to charging fees for them lost all its force; because it was not the fee charged which gave the opportunities of speculation but the necessity of applying for and obtaining a license which had to pass through the hands of subordinate officials. But in his humble opinion, speaking of the Provinces to which alone it would apply, he believed that those anticipated dangers had really no existence whatever; certainly not more than in most other forms of taxation which might be named—in octroi-collections, in inland customs-collections, and in license-tax collections. He believed that the only effect of charging fees for the possession of arms would be to add by the amount of those fees to the cost of obtaining them. The additional cost was very far, in his opinion, from being a disadvantage; for the Council was now considering the case only of those parts of the country where it had been determined, on grounds of political expediency, that the people ought not generally to be in possession of arms and where a cheap and abundant supply of them was on no grounds desirable.

He had dealt now with the only objection which he had heard to the proposed levy of duties on these licenses. He wished to add some very important evidence in confirmation of the arguments by which he had sought to support his amendment. In the North-Western Provinces, this special subject had undergone very long and careful consideration, and the result had been to elicit the strongest possible opinions in favour of the measure which he was advocating. So far back as 1870 Sir W. Muir, the then Lieutenant Governor, appointed a committee of the most experienced officers to consider the best way of adding to the revenues. That committee made various re-

commendations, and amongst them, advised the imposition of a duty on arms-licenses, and Sir J. Strachey would, with the permission of His Excellency, read a short passage from the Committee's report:—

"35. It is unnecessary to propose any further taxation for actual requirements. The Committee desire, however, to point out that a legitimate source of income may be found by enforcing fees on the issues of arms licenses. Arms in this country are in the great majority of cases used as a means of increasing the dignity or supporting the rank of natives who wish to carry them.

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The probable income arising from this source is conjectural only. It will probably be not less than £10,000 per annum."

Sir W. Muir entirely approved of that recommendation, and, in June, 1871, submitted a proposal to the Government of India for carrying it into effect. In the letter which he wrote to the Government of India he said—

"The Lieutenant-Governor concurs generally in the views of the Committee. The scale of fees and the suggested rules for issue of licenses appear suitable, but the Local Government might, His Honour thinks, receive power to vary these, within certain limits, from time to time, as may be found expedient. For districts that have not been disarmed the scale is perhaps too high, and there it might be reduced one-half.

"The Lieutenant-Governor is further of opinion that in all parts of the country which have been disarmed, licenses should be required, not only to carry, but to possess, arms.

"Exemption will be readily granted in parts of the country where prevalence of wild beasts or other danger may render it expedient that arms should be possessed or used.

The proposal thus made was not carried into execution. It was brought forward originally by Sir W. Muir under the impression that it was absolutely necessary to provide further means of meeting Provincial charges. But the condition of the Provincial finances having turned out better than was expected it was dropped. In 1876, when Sir J. Strachey was Lieutenant-Governor of the North-Western Provinces, the question was again taken up. It was discussed by a number of the most experienced officers of the Government of the North-Western Provinces, and they were unanimously of opinion that it was extremely desirable to charge license fees for the possession of arms. He himself entirely concurred in the view thus taken, and he was in a position to say that the same opinion was held by the present Lieutenant-Governor of the North-Western Provinces. Thus, in the North-Western Provinces three successive Lieutenant-Governors and he believed, all their most experienced officers, had during the last eight years, expressed strong opinions in favour of the amendment which he was now asking the Council to adopt. He hoped that a measure which had such strong authority to support it would be approved by the Council that day.

The Motion was put and agreed to.

The HON'BLE SIR E. C. BAYLEY moved—

That to section 32 the following words be added, namely :—

“Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.”

He said the amendment was really one of a technical nature. He had mentioned, when presenting the Report of the Select Committee, that a clause had been introduced in section 32, requiring persons in possession of arms to produce them when required. But by mistake no penalty was affixed to the section by means of which it could be enforced. The amendment of which he had given notice was simply intended to correct the error.

The Motion was put and agreed to.

The HON'BLE SIR EDWARD BAYLEY also moved that the Bill as amended be passed.

The Motion was put and agreed to.

Statement of objects and reasons.

The law relating to arms, ammunition and military stores has long been felt to be in an unsatisfactory state. In some particulars it has been found defective, and on many points it presents difficulties of construction which might at any time prove embarrassing to the Government or entail hardship on innocent persons.

2. So far back as the year 1870 a Bill was introduced to remedy this state of things ; but, owing in part to press of work and in part to other causes, it was allowed to stand over.

3. The present Bill is in the main a consolidation of the existing law, and a re-enactment of it in a simpler form which such improvements in points of detail as the experience of the working of the Arms Act of 1860 has shown to be desirable. On two points only does it propose to introduce changes of any importance.

4. The first of these points is dealt with in section 7, which, taken with the second schedule, imposes duties on the importation by sea of arms, and parts of arms etc. Those duties, it will be observed, are fixed without reference to the value of the articles on which they are imposed, and they are so fixed and are pitched, at what may seem at first sight to be high rates, expressly with a view to check the importation of a cheap class of arms, the importation of which has of late years largely increased.

5. Such arms cannot, from their inferior make, be intended for sporting purposes, and there is reason to suspect that a considerable proportion of them finds its way into the hands of the criminal classes in the interior of the country or of the hostile tribes on our frontiers. It has been found very difficult to prevent the transit of such arms from the sea ports into the interior of the country and towards the frontiers when once they were imported, and it is believed that the simplest method of checking their importation, and the method best calculated to interfere with the legitimate trade in arms of a superior class, is to impose an uniform duty of the nature proposed.

6. The other point in which the Bill goes to introduce a material change in the existing law is that of the possession of arms. At present the mere possession of arms is prohibited only in certain provinces, which, to use the language of Act XXXI of 1860, have been "disarmed." Throughout the rest of the country, though no person can go armed or carry arms except under a special exemption or by virtue of a license, the mere possession of arms other than cannon is not restricted.

7. Now there is good reason to believe that this complete absence of restriction in the districts which have not been disarmed has led to the law prohibiting the transport of arms and the export of arms across the frontiers being extensively evaded. As long as all persons indiscriminately may have arms in their possession to any amount they please in the districts which have not been disarmed, it is practically impossible to prevent such arms being passed on to the disarmed districts, to the predatory classes in Native States, and to the hostile tribes on our frontiers.

The only remedy seems to be to place the possession of arms throughout the whole of British India under control and this it is proposed to do by section 11 of the Bill, which requires all such possession to be under a license.

8. It will, however, be observed that ample safe guards are provided to prevent this prohibition pressing unfairly against respectable persons desiring to possess arms for legitimate purposes. Section 11 allows a period of three months after the Bill becomes law within which the possession of arms in the districts not hitherto disarmed will not be illegal, and during which any person in such districts can apply for a license; section 25 enacts that in these districts no person shall be prosecuted for possessing arms without the previous sanction of the Magistrate of the District; section 26 imposes special and very stringent condition on searches for arms; and lastly, under section 23, the Government may exempt any class of persons from the operation of the prohibition altogether.

9. On the whole it may be safely affirmed that, with a system of licenses granted either without charge or on the payment of small fees, and in cases where it is safe so to grant them for reasonably long periods the Bill will not, as regards the possession of arms, materially affect the position of any person to whom the right to possess arms can, with a due regard to the public peace and safety, be conceded.

10. It need only be added that section 3 of the Bill maintains in force all exemptions granted under the present law.

E. C. BAYLEY.

The 12th December 1877.

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ACT NO. XI OF 1878.

[15th March 1878.]

An Act to consolidate and amend the law relating to Arms, Ammunition and Military Stores.

Whereas it is expedient to consolidate and amend the law relating to arms, ammunition and military stores, It is hereby enacted as follows.

Preamble.

I—Preliminary.

1. This Act may be called the Indian Arms Act, 1878, and it extends to the whole of British India.

Short title
Local extent.

Savings.

But nothing herein contained shall apply to—

(a) arms, ammunition or military stores on board any sea-going vessel and forming part of her ordinary armament or equipment, or

(b) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government, or by a public servant or a volunteer enrolled under the Indian Volunteers Act, 1869, in the course of his duty as such public servant

XX of 1869

or volunteer.

(1) The sale of arms by the Nazir of the Court, in execution of a decree is a sale by a public servant in discharge of his duty and is therefore excluded by section I clause (b) from the operation of the Indian Arms Act, XI of 1878. It is expedient for the Court ordering such sale to give notice of the sale and of the purchaser's name and address as contemplated by section 5 of that Act to the Magistrate of the district or to the police officer in charge of the nearest police station

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(2). Explosives required by a public servant in the course of his duty as such are under Section 4 (b) of the Arms Act exempt from the operation of the Act and no license is therefore necessary for their importation.

[H. D. letter No. 445 dated the 7th February 1908]

(3). A license granted under the Indian Explosives Act (IV of 1884), for the manufacture, possession, sale, transport or importation of an explosive may be given the effect of a like license granted under the Indian Arms Act, 1878 (XI of 1878).

[Section 15 of the Indian Explosives Act, 1884 (IV of 1884).]

2. This Act shall come into force on such day as the Governor-General in Council by notification in the Gazette of India appoints.

Commencement.

The Act came into force on the 1st October 1878.

(Home Dept. notn. No. 1169 dated the 27th June 1878.)

3. On and from that day the enactments mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed under any enactment hereby repealed, shall be deemed to be respectively given, granted, made, published and prescribed under this Act.

And all such authorities, permissions, licenses and exemptions shall, except as otherwise provided by this Act, continue in force for the periods for which they may have been given or granted respectively, or where no such period is expressly fixed, for one year from the date on which this Act comes into force, and shall then cease to have effect.

4. In this Act, unless there be something repugnant in the subject or context,—
Interpretation clause.

“cannon” includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting transporting and serving the same.

“arms” includes fire-arms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms:

“ammunition” includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithoflaccour and other explosive or fulminating material, gun-flints, gun-wads, percussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre.

“military stores,” in any section of this Act as applied to any part of British India means any military stores to which the Governor General in Council may from time to time, by notification in the Gazette of India specially extend such section, in such part, and includes also all lead, sulphur, saltpetre and other material to which the Governor General in Council may from time to time so extend such section.

“license” means a license granted under this Act, and “licensed” means holding such license.

(1) A gun rendered unserviceable by the loss of the trigger does not fall within the definition of “arms” in section 4 of the Act. Possession of such a weapon without a license is no offence.

QUEEN *versus* SIDAFFA.

I. L. R., 6 Mad 60.

(2) A revolver with a broken trigger is within the definition of "arms" in the Indian Arms Act, 1878, section 4. Whether in any particular case an instrument is a fire-arm or not is a question of fact to be determined according to circumstances, and the circumstance that it is in unserviceable condition is not conclusive.

QUEEN EMPRESS *versus* JAYARAM REDDI.

I. L. R., 21 Mad., 360.

(3) As a gun-barrel and nipple in serviceable conditions fall within the definition of "arms" in section 4 of the Indian Arms Act, 1878, the possession of such articles without a license is punishable under section 19 (f) of the said Act.

QUEEN *versus* VYAPURI KANGANI

I. L. R., 7 Mad., 70.

(4) A sword stick is a "sword" within the meaning of the term in section 4 of the Indian Arms Act. Neither the length, breadth or the form of the blade of a weapon, nor the handle, afford any certain test of its classification as "arms." Whatever can be used as an instrument of attack or defence, for cutting as well as for thrusting, and is not an ordinary implement for domestic purposes, falls within the purview of the Act.

EMPEROR *versus* SATISH CHANDRA ROY.

I. L. R., 34 Cal., 749.

(5) A broken and unserviceable gun does not fall under the description of "parts of arms."

Rasool Sahib—Accused.

Weir 658.

(6) A fire-arm which is defective and otherwise unserviceable is not within the meaning of the Act, and consequently not one for which a license need be taken out, even though it might be capable of being rendered serviceable by being repaired.

Kullappa. Gramani—Accused

Weir 658.

(7) A battle-axe is an arm within the meaning of the Act

Madras II. C. Proceedings, No. 1424, dated the 4th September 1879.

(8) If Lee-Metford bullets were capable of and fit for use they are "parts of ammunition."

Crown v Cheta. Alld. H. C. Cr. Revu., No 517 dated the 10th September 1907.

(9) A "table knife" however carried or intended to be used is not an arm

CROWN *versus* NGA KYA NYO.

Chief Court, L. B. No 556 of 1903.

(10) A cook's knife is not an arm. The accused's conduct in manufacturing a sheath for the knife, to enable him to conveniently carry it about with him, does not convert it into an arm, unless the character of the knife is altered, (e.g.), by grinding it so as to make it double edged.

King Emperor V. Aung Br

5 L B R. 130.

(11) A *dash-upyat* of the usual type is primarily intended for domestic and agricultural purposes and is not an arm within the meaning of the Arms Act.

King Emperor V. Hamyit.

5 L. B R. 207

(12) Accused were convicted for having in their possession sword-hilts bought from time to time at sales of old stores. They contended that sword-hilts were not arms within the meaning of the Act. Held that the expression 'arms' included 'parts of arms' and that the hilt being part of a sword was an arm.

NUR DIN AND NIZAM DIN *versus* THE EMPRESS.

Punjab Chief Court No. 773 of 1889.

(13) Empty cartridge cases are ammunition within the meaning of sec. 4

Emp. V. Baldeo Singh.

I. L. R., 32, Alld. 152.

(14) A bench of the High Court at Bombay have held, in a case decided on the 4th May 1905, that empty cartridge cases, in which the caps have been exploded come within the definition of "ammunition."

IMPERATOR *versus* ABRAHAM ALIBHOY.

(15) Empty cartridge cases of which the caps have been exploded do not come under the definition of ammunition as contained in the Arms Act. An instrument for recapping cartridge cases of the Martini Henry rifle is not machinery for manufacturing ammunition within the meaning of that Act.

JAMAL KHAN *versus* THE EMPRESS.

Punjab Chief Court,—No 440 of 1889.

*Known in the United Provinces as *beends*.

(16) Iron droppings or pellets* are ammunition, and should be treated as such for the purposes of the Arms Act.

(Home Dept. letter No 1630, dated 7th October 1881)

(17) Lead moulded into bullets of 20 to 24 bore is held to be ammunition within the meaning of section 4.

Emp. *versus* Sant Singh.

16 P. R., 1910.

(18) Whether in any particular instance an instrument is a fire-arm or not, is a question to be determined according to the facts of each case, and the circumstance that it is in an unserviceable condition is not sufficient to take it out of the category of fire-arms. Where certain fire-arms had been found from the possession of the accused, who had concealed them under a heap of straw, in order that visitors in his house should not see them. *Held* that the concealment was not with the intention specified in section 20, and the accused could, therefore, be convicted only under section 19 (f) of the Act.

THE CROWN *versus* AZU WALAD BANGAR.

S L R., 18 (Cr)

(19). The accused having been convicted of being in possession of a *chavi* without a license, with reference to Punjab Government circular No 12-1309, dated 29th September 1899, directing that *chavis* are to be treated as arms for the purposes of the Indian Arms Act and rules thereunder, applied for revision to the Sessions Judge, who reported the case to the Chief Court with a view to the quashing of the conviction on the ground that a *chavi* does not come within the definition of "arms" given in section 4 of the Act, and that the Local Government had no power to extend the definition; he also expressed doubts as to whether the instrument was really a *chavi* or a *gandasa*. *Held*, that there is no exhaustive definition in the Indian Arms Act of the expression "arms" which though necessarily including the articles specified in the section, may also be held to apply to other instruments or weapons. Where the circumstances of a case show that a weapon or instrument is carried for the purpose of offence or defence and not as an article of domestic or agricultural utility there is no reason why such weapon or instrument should not be held to fall within the category of "arms." This being so, it was not necessary to decide in this case whether the weapon found on the accused was a *chavi* or a *gandasa*, it being immaterial what the name, shape, or size of an instrument is, but material to determine the use for which it is carried or possessed.

The Crown *versus* SANTA SINGH

Punjab Chief Court—No. 576 of 1900.

(20). *Held*, (1) that *chavis* may be arms within the meaning of the Indian Arms Act, and (2) that as the word "arms" in section 4 of the Act includes parts of arms the possession of a "*chavi*-head" may amount to possession of arms.

The Empress, Appellant, *versus* KESAR SINGH, Respondent. Punjab Chief Court—No. 399 of 1900.

Note.—For orders of the Government of the Punjab regarding *Chavis* and *Gandasas* and Local Rules and Orders.

II.—Manufacture, Conversion and Sale.

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same, but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer in charge of the nearest police-station, notice of the sale and of the purchaser's name and address.

(1). The manufacture or possession of fireworks, including rockets which are mere fireworks, without a license, is not prohibited by section 5 of the Indian Arms Act, 1878. The rockets referred to in section 4 are war-rockets.

QUEEN *versus* SUPPY.

I L R, 5 *Mad* 150.

(2) A person having obtained a license under the Arms Act, 1878, for a match-lock, had the same converted into a percussion gun. He was convicted under section 19 of the said Act on the ground that the license did not permit him to keep a percussion gun. *Held* that the conviction was bad.

QUEEN EMPRESS *versus* BODAPPA.

I. L. R, 10 *Mad* 131.

(3). The repairing of arms is not "manufacture" within the meaning of sections 5 and 19 (a)

Yagantiah—Accused.

Weir 653 and 656.

(4). A person who wrongfully applied for permission to sell a gun and did not obtain such permission was held not punishable under the Act, when he had given notice under section 5

Venkiah—Accused.

Weir 657.

(5) Considerable diversity of practice exists in the several provinces in regard to the issue of licenses, under the provisions of the Indian Arms Act, 1878, for the repair, as differing from the manufacture or conversion of arms. In some provinces, such licenses have been required, while in others it has not been the practice to require persons who merely repair arms to provide themselves with licenses under the Act. In one province it has been held that such cases fall under section 5 of the Arms Act, inasmuch as in order to repair arms, a person must necessarily have such arms in his possession.

2 It may be observed that when a person who repairs arms is also a maker of arms, it is necessary, under the existing law, that he should provide himself with a license in the latter capacity, so that the present question practically only affects persons in the position of ordinary blacksmiths or others who may have arms in their temporary keeping for purposes of repair. In regard to these classes of persons, the Governor General in Council is decidedly of opinion that it formed no part of the intention of the Arms Act to require licenses to be taken out, and His Excellency in Council is accordingly pleased to direct that in future no licenses shall be required merely for carrying on the business of repairing arms.

(Home Dept resn No. 69—2039-50, dated the 15th Dec, 1881.)

See also note (5) to section 19.

III.—Import, Export and Transport.

6. No person shall bring or take by sea or by land into or out of British India any arms, ammunition or military stores except under a license and in the manner and to the extent permitted by such license.

Unlicensed importation and exportation prohibited.

Nothing in the first clause of this section extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition; but the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the Local Government thereon.

Importation and exportation of arms ammunition for private use.

Explanation—Arms, ammunition and military stores taken from one part of British India to another by sea or across intervening territory not being part of British India, are taken out of and brought into British India, within the meaning of this section.

(1) In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878, the Governor General in Council prohibits the bringing or taking by sea or by land into or out of British India of arms, ammunition or military stores as defined in the Indian Arms Act, 1878, except in accordance with the provisions of that Act and orders issued thereunder.

(F and C, Dept Notn. No 2251, dated 16th August 1879.)

(2) The words "lawfully entitled to possess" apply to persons licensed according to law to possess arms, as well as to persons exempted from the operation of sections 13 and 14 of the Act.

(Home Dept. No 1862, dated the 14th Dec 1890)

(3) The exemption in clause 2 of section 6 of the Indian Arms Act, 1878, cover only the export of arms and ammunition by a privileged person for his own personal use, not the export of arms and ammunition by other people for the use of a privileged person.

(For. Dept letter No. 1327-I, dated the 23rd March 1891.

(4) The following officers are empowered to detain arms and ammunition under this section.—

BOMBAY PRESIDENCY—Political Resident at Aden.

(Notn No 3467, dated the 16th June 1879.)

BENGAL.—All Magistrates and police officers not below the grade of Inspector.

(Notn, dated the 15th August. 1879.)

UNITED PROVINCES—Any Magistrate, Justice of the Peace, Superintendent or Assistant Superintendent of Police and any police officer being not lower in rank than an officer in charge of a reporting police station.

(G. O. No. 229½, dated the 27th Feb 1879)

PUNJAB.—All Police-officers not below the rank of officer in charge of a station.

(Notn. No. 943, dated the 10th July 1907.)

CENTRAL PROVINCES—All Magistrates and all officers of the police not below the rank of Assistant District Superintendent of Police.

(Book Cir, No XXVII, dated the 4th August 1899)

7. Notwithstanding anything contained in the Sea Customs Act, 1878, VIII OF
1878
no arms, ammunition or military stores
shall be deposited in any warehouse licensed
under section 16 of that Act without the
sanction of the local Government.

The warehouse at Moyapur is declared to be a warehouse for the deposit of ammunition under section 7. The premises of any licensed dealer in arms in Calcutta licensed also as a private warehouse under section 16 of the Sea Customs Act, 1878, and approved of in writing by the Commissioner of Police may be used as a place for the deposit of arms under this section. (Bengal Govt. notn. dated the 24th March 1879.)

8. [*Levy of duties on arms, etc., imported by sea*] *Repealed by the Repealing and Amending Act 1891 (XII of 1891).*

9. [*Power to impose duty on imports by land.*] *Repealed by the Repealing and Amending Act, 1891 (XII of 1891).*

10. The Governor General in Council may, from time to time, by notification in the Gazette of India,—
Power to prohibit transport.

(a) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of British India or any part thereof, either altogether or except under a license and to the extent and in the manner permitted by such license, and

(b) cancel any such notification.

Explanation.—Arms, ammunition or military stores transhipped at a port in British India are transported within the meaning of this section.
Transhipment of arms.

11. The Local Government, with the previous sanction of the Governor General in Council may, at any places along the boundary-line between British India and foreign territory and at such distance within such line as it deems expedient, establish searching-posts at which all vessels, carts and baggage animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by such Government in this behalf by name or in virtue of his office.

12 When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

Any person so apprehended, and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police-officer, shall be delivered over as soon as possible to a Police-officer.

Arrest of persons conveying arms, etc., under suspicious circumstances.
 Procedure where arrest made by person not a Magistrate or Police officer

All persons apprehended by, or delivered to, a Police-officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a magistrate.

IV.—Going armed and possessing Arms, etc.

13. No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Prohibition of going armed without license

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police-officer or other person empowered by the Local Government in this behalf by name or by virtue of his office

(1). Under this section the following officers are empowered to disarm persons going armed without a license or in contravention of its provisions —

MADRAS PRESIDENCY.—All Magistrates, Police officers and *adigaris* in the Malabar district

(G. O. No. 457 dated the 5th December 1895)

BOMBAY PRESIDENCY —The undermentioned officers of the Forest Department in the Northern Division, Southern Division and in Sind Conservators of Forests, Deputy Conservators of Forests, Assistant Conservators, Extra Assistant Conservators, Rangers, Foresters, Forest Guards and Salt Inspectors in Sind in virtue of their office Officers, sepoys and peons of the Salt Department employed on the Goa and on the Northern Frontiers

(Notns No. 6714 dated the 7th Novr. 1879, No. 9355 dated the 29th Novr. 1892, No. 3049-A, dated the 8th June 1889, No. 410 dated the 18th Jany. 1895 and No. 4082, dated the 11th Aug. 1905)

UNITED PROVINCES.—The Conservator of Forests, Eastern and Western Circles, and all Deputy Conservators, Assistant Conservators, and Extra Assistant Conservators (including probationers). Patwaris in Jaunsar-Bawar have similar powers

(G. O. No. 274 dated the 11th March 1890, and No. 1077-VI-620-B. dated the 29th April 1891.)

CENTRAL PROVINCES.—All Forest officers not below the rank of Assistant Conservator and all Revenue officers not below the rank of Naib-Tahsildar.
(Norn. No. 2595 A, dated the 18th June 1895)

(2). "Going armed" in section 13 means "carrying arms" and a person who gets a license for protection only but uses it for sports is not exempted from liability under the Act.
Venkatrayadu and another—Accused. Weir 663.

(3). Section 13 which prohibits a person from going armed except under a license is not bound to take his license with him whenever he goes.
Koraga—Accused. Weir 661.

See also note (3) to section 19.

14. No person shall have in his possession or under his control any cannon or fire-arms or any ammunition or military stores, except under a license and in the manner and to the extent permitted thereby

Fire-arms in section 14 includes parts of fire-arms.
Emp V. Dhan Singh.

3 N. L. R. 53.

[Temporary provisions] Repealed by the Repealing and Amending Act, 1891, (XII of 1891).

15. In any place to which section 32, clause 2, of Act No. XXXI of 1860 applies at the time this Act comes into force or to which the Local Government with the previous sanction of the Governor General in Council, may by notification in the local official Gazette specially extend this section, no person shall have in his possession any arms of any description, except under the license and in the manner and to the extent permitted thereby.

Possession of arms of any description without license prohibited in certain places.

applies at the time this Act comes into force or to which the Local Government with the previous sanction of the Governor General in

Council, may by notification in the local official Gazette specially extend this section, no person shall have in his possession any arms of any description, except under the license and in the manner and to the extent permitted thereby.

(1). Section 15 of the Act has been extended to the District of Dacca, Mymensingh, Faridpur, Bakarganj, Tippera, Rajshahi, Dinagpur, Jalpaiguri, Rangpur, Bogra, Pubna, Malda, Sylhet and Cachar; and with effect from the 1st July 1911, no person in these districts shall have in his possession any arms of any description, except under a license and in the manner and to the extent permitted thereby.

Provided that except in respect of swords and daggers other than those lawfully possessed in virtue of an exemption under schedule I, the above notification shall not affect nor apply to any exemption granted under the Rules and in force at the date, namely, the 1st July 1911.

(No. 1808, dated the 6th June 1911).

(2). The possession of a sword or dagger in a place to which section 15 has not been extended is no offence.

Fakir Ahmed and another—Accused.

Weir 666.

(3). A person having a sword without a license in a district which is not disarmed, but not going armed with it, is not punishable under the Act.

Kunjah Asari—Accused.

Weir 666.

(4). The possession of a bayonet without a license is not an offence under the Act except in the district to which section 15 has been extended.

Crown vs. Nga Shwe Hla.

1 Burma 426.

(5). Clause 2, section 32 of Act XXXI of 1860, relating to the manufacture, importation and sale of arms, did not apply to the Badami Taluka of the Kalyan Collectorate at the time when the Indian Arms Act No. XI of 1878, came into force; and the notification of the

Government of Bombay. No. 1112 of the 19th February 1878, which declares that the provisions of Act XXXI of 1860, as modified by Act VI of 1866, are in force in Badami amongst other places, is not an order of disarmament under clauses (1) section 32 of Act XXXI of 1860. In the absence therefore, of notification under section 15 of Act XI, of 1878, extending, with the previous sanction of the Governor-General in Council, the provisions of the section to Badami, the possession of arms without a license in that taluka is not punishable under section 19.

Govt of Bombay Versus DADYAMA BASAPU.

I. L. R., 9 Bom. 478.

(6). This section has been extended to the following places :

MADRAS PRESIDENCY—Calicut, Ernad, Walavanad and Ponnani.

(G O No 260 dated the 30th Jan. 1885, No. 855 dated the 6th Feb. 1885 and No. 420 dated the 30th May 1885)

BOMBAY PRESIDENCY.—Aden.

(No 3467 dated the 16th June 1879).

See also Bombay Local Rules and Orders.

PUNJAB.—Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan districts

(Notn. No. 1635, dated the 16th Nov. 1900).

See also the notification of the Government of the Punjab No. 2480 dated the 8rd July 1879, published under Punjab Local Rules and Orders.

16 Any person possessing arms, ammunition or military stores, the possession whereof by him has in consequence of the cancellation or expiry of a license or by the issue of a notification under section 15, become unlawful, shall deposit the same without unnecessary delay with the officer in charge of the nearest police station.

Arms of which possession has become unlawful to be deposited at police station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorising him to possess the same and apply for delivery of the same, such thing shall be forfeited to His Majesty.

V.—Licenses.

17. The Governor-General in Council may, from time to time by notification in the Gazette of India, make rules to determine the officers by whom, the form in which and the terms and conditions, on and subject to which, any license shall be granted ; and may by such rules among other matters—

(a) fix the period for which such license shall continue in force ;

(b) fix a fee payable by stamp or otherwise in respect of any such license granted in a place to which section 32, clause 2, of Act No. XXXI of 1860, applies at the time this Act comes into force, or in respect of any such license other than a license for possession granted in any other place ;

- (c) direct that the holder of any such license other than a license for possession shall keep a record or account, in such form as the Local Government may prescribe, of anything done under such license, and exhibit such record or account when called upon by an officer of Government to do so ;
- (d) empower any officer of Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a license of the description referred to in section 5 or section 6 ;
- (e) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered ; and
- (f) require the person holding any license or acting under any license to produce the same and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government to do so.

18. Any license may be cancelled or suspended—
 Cancelling and suspension of license.

(a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a District, or Commissioner of Police in a Presidency-town, within the local limits of whose jurisdiction the holder of such license may be, when, for reasons to be recorded in writing such officer, authority, Magistrate or Commissioner deems it necessary for the security of the public peace to cancel or suspend such license, or

(b) by any Judge or Magistrate before whom the holder of such license is convicted of an offence against this Act, or against the rules made under this Act ; and

the Local Government may at its discretion, by a notification in the local official Gazette, cancel or suspend all or any licenses throughout the whole or any portion of the territories under administration.

Whereas numerous murders by gun-shot have been committed in the district of Backergunge, and it is deemed necessary for the suppression of such crime that the possession and use of fire-arms in the district should not be permitted, the Lieutenant Governor under the authority vested in him by section 18 of the Indian Arms Act XI of 1878, hereby notifies that all licenses now held in the district under sections 5, 13 and 14 of the said Act, that is to say, for the manufacture, conversion or sale of fire-arms and the sale of ammunition, for going armed with fire-arms and for having in possession or under control fire-arms and ammunition, are cancelled with effect from the 1st September 1896. The Magistrate of the district will allow to the holders of licenses such time as may be necessary for the deposit of their arms with the officer in charge of the nearest police station,

Arrangements will be made whereby the Collecting members of Chaukidari panchayets will be supplied with guns for use where they may be needed for protection against wild animals.

(Bengal Govt. Notn. No. 4772-J., dated the 22nd Aug. 1896)

VI.—Penalties.

For breach of sections 5, 6, 10, 13 to 17 19. Whoever commits any of the following offences (namely):—

- (a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of sections 5;
- (b) fails to give notice as required by the same section;
- (c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6;
- (d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10;
- (e) goes armed in contravention of the provisions of section 13;
- (f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15;
- (g) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (c), he is required to keep;
- (h) intentionally fails to exhibit anything which, by a rule made under section 17 clause (c), he is required to exhibit; or
- (i) fails to deposit arms, ammunition or military stores, as required by section 14 or section 16;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(1) The possession of gunpowder without a license whether intended for the manufacture of fireworks or not, is an offence under section 19 of the Indian Arms Act, 1878.

QUEEN EMPRESS versus KHASIM.

I. L. R. 8 Mad. 202.

(2) Sale of sulphur and ammunition by the agent of one holding a license under Act XI of 1878 is not legal.

QUEEN EMPRESS versus SITHARAMAYYA.

I. L. R. 12 Mad. 478.

(3) A servant of a person who possessed a license for two swords and a gun, which license also covered one retainer, was stopped by the police on the road while carrying a sword. On being asked to produce his license, he was unable to do so, it not then being with him. No opportunity was afforded him of producing the license, but he was charged with an offence under section 19 of Act XI of 1878, and on these materials convicted and fined. *Held* that the conviction was wrong. The law does not require a licensee

always to have his license with him. If, under such circumstances, on being required to produce it, he is prepared to do so on a reasonable opportunity being given him to get it, and it exists, he should not be prosecuted; if prosecuted, the production of the license at the trial is a sufficient answer to the charge of infringing the Arms Act. *Held* further that a license granted to a person to carry arms and including a retainer authorizes any retainer to carry the arms specified with the permission of his master, and does not restrict him merely to carry them while in the actual presence of his master.

QUEEN EMPRESS *Versus* KISHUNWA.

I. L. R., 20 Cal 444.

(4) Where a person is found carrying arms apparently in contravention of the provisions of the Arms Act, it must be presumed in the absence of proof to the contrary, that he is carrying such arms with the intention of using them should an opportunity of using them arise.

QUEEN EMPRESS *Versus* WILLIAMS

I. L. R., 15 All. 276.

(5) The mere temporary possession without a license of arms for purposes other than use as such, as for instance, where a servant is carrying his master's gun to a blacksmith for repairs, or where a blacksmith has a gun left with him for repairs, is not an offence within section 19 of the Indian Arms Act, 1878.

QUEEN EMPRESS *versus* WILLIAMS.

I. L. R., 16 All 276.

(6) The temporary possession of a gun by the servant of the license holder is the possession of his master.

Guruvan Boyi—Accused

Weir 684.

(7) A servant, was found using a gun which was lent to him by his master who held a license for the gun for his own purpose. *Held* that the act of the accused was an infringement of the provisions of section 19 (f) of the Act.

Madho Lal V. The Emperor 13.

O. W. N. 124.

(8) By a notification under section 27 of the Arms Act issued by the Government of India, certain persons, amongst them certain Rajas and members of the Legislative Council of the Lieutenant Governor of the North Western Provinces, were exempted from the operation of sections 13 and 16 of the said Act, but with this proviso that "except where otherwise expressly stated, the arms or ammunition carried or possessed by such person shall be for their personal use, etc." *Held* that the terms of this proviso would allow of a person exempted under the notification, above alluded to, sending a servant armed with a gun into a neighbouring district to shoot birds for him, and that a gun so carried and used by the servant of the exempted person was in the "personal use" of the exempted person within the meaning of the notification.

QUEEN EMPRESS *versus* GANGA DIN.

I. L. R., 22 All, 118.

(9) The accused Sonia Teli, an agricultural servant of Rao Bahadur Bapu Rao Dada was found in the village of Dungaigarh carrying a loaded gun belonging to his master. The village belonged to the Rao Bahadur and the accused was proceeding to his master's field for the purpose of frightening off pig from the crop. Sonia was charged under section 19 () with going armed in contravention of the provisions of section 13, but was acquitted on the strength of the ruling of the Allahabad High Court in *Empress versus Gangadin* (I. L. R. 22, All. 118). *Held* that the exemption should be construed literally, but the construction adopted by the Magistrate ignores the undoubted fact that the privilege conferred by the exemption is of a personal nature and does not extend to the servants and retainers of the person exempted.

Emperor v. Sonia Teli. Judgment of the J. C., O. P., No. 72 of 15th June 1901.

(10) An order extending the time of renewal of licenses has the effect of keeping a license previously granted practically in force, and a person cannot be convicted of an offence under section 19 (f) of the Arms Act for a breach of its provision within the extended time.

In the matter of the Petition, KALI NATH SINGH.

8, C. W. N. 394.

(11) When a Magistrate issues a search warrant under section 25 of the Indian Arms Act, 1878, it is necessary that he should record the grounds of his belief that the person against whom the warrant is issued has in his possession arms, ammunition or military stores for an unlawful purpose. Where proceedings under the Indian Arms Act, 1878, in respect of the unlawful possession of arms are taken against a member of a joint Hindu family not being the head of such joint family, and arms are found in a common room of the joint family house, it is incumbent upon the prosecution to give good evidence that such arms are in the

exclusive possession and control of the particular member of the joint family who is sought to be charged with their possession.

QUEEN EMPRESS Versus SANGAM LAL.

I. L. R. 15 All. 129.

(12) The license of the accused for the possession of firearms and ammunition was cancelled in August 1897. He was suspected of being in possession of arms after the cancellation of his license. On the 23rd of April 1899, the Assistant Magistrate of Ferozepur, with a number of police, went to the house of the accused to search for arms. They surrounded it, arrested the accused and then searched his house. The police had no search warrants, nor was there anything to show upon what charge the accused was arrested. Two gun stocks, some ammunition and implements for reloading were discovered in the house. There was nothing to show that the sanction required by section 29 of the Arms Act was given before proceedings were instituted against the accused. Accused was convicted and sentenced under section 19 and 20 of the Arms Act. *Held* that the conviction under section 20 was not sustainable but that the accused must be taken to have had arms and ammunition as defined by the Arms Act, within the meaning of section 19 (f) of that Act and the conviction under that section must be confirmed. *Held*, further, that with respect to the question of whether or not any previous sanction had been given under section 29 of the Arms Act, the Court was not unmindful of the suggestion that the charge in this case was, in the first instance, in respect of an alleged offence under section 20 and not of one under section 19; but that sections 19 and 20 were so interwoven that it was difficult to see how an offence could be committed under the first paragraph of section 20 unless an offence under one of the enumerated sub-sections in section 19 had also been committed. It was not suggested that the charge here was an offence under the second paragraph of section 20.

AHMAD HUSSAIN Versus QUEEN EMPRESS.

I. L. R. 27 Cal. 692.

(13) A volunteer, being a person exempted in virtue of a notification of the Government of India, is not exempted merely with reference to his duties as a volunteer, but generally subject to certain exceptions. It is therefore not unlawful for a volunteer to possess firearms and to use them.

QUEEN EMPRESS Versus LUKE.

I. L. R. 28 All. 323.

(14) A collection of firearms, consisting of four small cannons, four pistols and thirty-one muskets, had been kept as objects of worship in a Sikh temple in Patna for upwards of two centuries. The Mahant of the temple neglected to take out a license in respect of these arms under Act XI of 1878. A Police Inspector, who was appointed to see that the provisions of the latter Act were obeyed, searched the temple on information received, and, having found the arms, prosecuted the person who had charge of the temple. The latter was convicted by the Deputy Magistrate of Patna under section 19 (f) of Act XI of 1878, and sentenced to pay a fine of Rs 50 or to be rigorously imprisoned for two months. The Deputy Magistrate also ordered the arms to be confiscated, and directed that their value and the fine should be divided between the informer and the Police Inspector. *Held* with reference to Act X of 1872 section 579 and the last heading to Schedule IV of the same Act and to section 19 (f) of Act XI of 1878, that the proceedings of the Police Inspector and the conviction of the accused were not illegal. There is nothing in the Arms Act to exempt the custodians of a temple from complying with the requirements of the Arms Act either by taking out a license or obtaining exemption under Section 27. Section 25 of the Arms Act appears to refer to cases in which the Magistrate considers that arms, whether under a license or not, are possessed for an illegal purpose, or under circumstances such as to endanger the public peace. Section 30 of the Arms Act appears to contemplate the presence of some specially empowered officer, besides the officer conducting the search.

EMPEROR Versus TEJGA SINGH.

I. L. R. , 8 Cal. 473.

(15) A person entitled to possess and use firearms gave a pistol to an acquaintance, who was not entitled to possess and use firearms, asking him to take it and get it repaired in a neighbouring town. The acquaintance gave the pistol to his father, Harpal Rai, who was taking it to the town to get it repaired, when he was arrested and charged with an offence under section 19 of the Indian Arms Act, 1878. *Held* that Harpal Rai was, under the circumstances guilty of no offence under the Arms Act. The mere temporary possession, without a license, of arms, for purposes other than their use as such, is not an offence within the meaning of section 19 of the Arms Act.

EMPEROR Versus HARPAL RAI.

I. L. R. 24 All. 454.

(16) The mere denial, on the part of a person, whose house is being searched by the Police for unlicensed arms, that he has any such arms in his possession does not constitute a concealment or attempt to conceal arms on search being made by the police within the

meaning of the second paragraph of section 20 of Act XI of 1878. *Held* also, that where unlicensed arms are found concealed upon premises which, though legally the joint property of a joint Hindu family, are in fact at the time of the finding in the exclusive possession and control of one member of the family can properly be held to be in possession of such arms. *Queen Empress versus Sangam Lal* (vide note no (11) above) distinguished.

EMPEROR Versus RAM SURUP.

I L R All. 302

(17) A person named, Prabhat Chandra Chandri, seized a gun which was in the hands of a servant of an exempted person and fired at a mad dog which had entered the compound of his house. It missed the animal but a shot from the gun wounded a man named Manda Rajbansi. For this Prabhat Chandra Chandri was convicted under section 304-A, I. P. C., and sentenced to pay a fine of Rs. 300 and to detention in court for one day. The Sessions Judge on appeal reduced the fine to Rs. 100. The accused was again prosecuted under section 19 (f) of Act XI of 1878. *Held* that the accused was not liable under the section referred to. The provisions of this section do not make the mere possession of a gun punishable; they make possession contrary to the provisions of section 14 of the Act punishable. The temporary possession which the accused had of the gun when he snatched it up and fired it was not the possession contemplated by section 14 of the Arms Act.

PRABHAT CHANDRA CHAUDRI Versus EMPEROR.

I. L. R. 35 Cal. 219

(18) The petitioner proceeded on leave from his regiment in April 1884, when he held the rank of a Havildar in the regiment. On 22nd June 1884 one A was found carrying a gun which he said belonged to the petitioner, who, on being questioned about it, admitted that it was his, and said he had a pass from the Officer Commanding his detachment. At the trial it was found that the pass was not given by the Officer Commanding as alleged, and the petitioner was accordingly convicted of having been in possession of arms without a licence. In appeal it was brought to notice that in the Gazette of India on the 30th August 1884, the petitioner has been promoted to the rank of Jamadar with retrospective effect from the 1st June 1884, and that, therefore, he fell within the exemption extended to Commissioned officers of the Native Army. The Sessions Judge held that as petitioner was only a Havildar, so far as the public orders were concerned, on the date of the offence, the fact of his subsequent promotion with retrospective effect was of no avail. *Held* that the petitioner having obtained a Commission of a date prior to the 22nd June 1884, must be held to have been a Commissioned Officer on the date, the fact of the order promoting him bearing a later date notwithstanding, and that, therefore, he fell within one of the classes exempted by the Government of India from the operation of the prohibitions contained in sections 14 and 15 of the Indian Arms Act.

NARAIN SINGH versus The Empress. Punjab Chief Court, Judgment—No. 183 of 1885.

(19) The accused a reservist of the 48rd Sikhs, being found in possession of a double-barrelled gun without a pass required under certain paragraphs of the Army Regulations, India, was convicted under section 19 of the Indian Arms Act, 1878. *Held*, that as the notification of the Government of India in the Home Department exempts all soldiers in the service of Her Majesty the Queen-Empress of India from the operation of certain provisions of sections 13-16 of the Arms Act, 1878, and as by the orders of the Government of India the term soldiers includes reservists, the possession of a double barrelled gun by the accused did not constitute an offence against the provisions of the Indian Arms Act, 1878. *Held further*, that there is no provision of law or of any rule having the force of law whereby the Army Regulations, India, can be held legally to restrict the powers exercised by the Governor General in Council under section 27 of the Arms Act, 1878.

The Empress versus BISHEN SINGH. Punjab Chief Court Judgment—No. 845 of 1906.

(20) In a prosecution under section 19 of the Indian Arms Act, 1878, the accused was charged with being in possession of a dagger which was found in a cloth or quilt inside a basket in one of the rooms of his house. It appeared that the room and house were jointly occupied by the accused and his son, and the prosecution failed to prove that the dagger was in the exclusive possession and control of the accused, or that he was its owner. *Held*, that the accused was under the circumstances, not guilty of an offence under the Arms Act.

King-Emperor versus SHEER ZAMAN. Punjab Chief Court Judgment—No. 266 of 1905.

(21) A revolver, even if temporarily out of repairs, is within the definition of "arms" in section 4 of the Indian Arms Act, 1878, and consequently the possession of such a weapon is an offence under section 19 of the Act.

KING EMPEROR versus SAMIULLA. Punjab Chief Court Judgment—No. 546 of 1907.

(22) An offence under section 19 being punishable with imprisonment for more than six months and not being one of offences specified in section 222, (350) could not be tried summarily

Madras H. C. Proceedings No. 1757 dated the 18th October 1879.

(23) Under section 19 the Magistrate having found the accused guilty, was bound to pass some sentence, though of course it was open to him to pass a nominal sentence. Section 24 shows that order of confiscation is in addition to any sentence which may be passed.

K. Gangama—Accused.

Weir 654.

(24) The offence of failing to deposit arms is not cognizable by a Magistrate of the second class.

Madras H. C. Proceedings No. 1385 dated the 30th August 1879.

(25) A magistrate of the second class has no power to try an offence punishable under section 19 (e) and a conviction by him for such an offence is illegal.

Shaik Mowla Sahib—Accused.

Weir 660.

(26) A person who had no ammunition with him so as to be in a position to use his gun is not guilty under section 19 (e) of the offence of going armed, nor can he be convicted under section 19 (f) without sanction as required by section 29.

Tenkuruman Basawan Accused.

Weir 662.

(27) Carrying a gun without ammunition in the absence of a license, is held to be an offence under 19 (f) and not under sec 19 (e).

Madras H. C. Proceedings No. 1761, dated the 31st August 1881.

(28) In the absence of a proclamation or order under section 33, clause 2, of Act XXXI of 1860, sanction under section 29 of Act XI of 1878 is necessary for a prosecution under section 19 (f) for possession of a gun without license.

Perumal Chetti and another—Accused.

Weir 660.

(29) A sub-inspector of Police, who was presented by Government with a six chambered revolver was charged under the Arms Act of going armed with a dagger without a license. *Held*, that his exemption covered a dagger also and that the Sub-Inspector committed no offence by the possession of the dagger.

Nga Kiang v. King-Emperor.

U B. R., 1907.

(30) From section 22 (1) of the Act, it is clear that the transfer of possession contemplated is something more than the entrusting of an arm to a servant. Moreover, in sections 14 and 19, the Act deals with possession and control as distinct matters. A servant using a gun belonging to his master would no doubt have the weapon under his control, so long as the use continued, but the weapon would remain in the master's possession. Throughout the Arms Act the word "possession" must be taken to mean something different from mere "control."

Emperor v. Mukunda.

4 N. L. R. 78.

(31) When a person who apparently had a license to go armed had come to a village wherein his cousin's servant was, to shoot, feeling thirsty, went to get a drink, leaving the gun with the servant, (a person not holding a license under the Arms Act) *Held*, that such a temporary custody of the gun by the servant did not amount to the "possession" or "control" contemplated by clause (f) section 19.

Emperor v. Khudda Gond.

4 N. L. R. 146 (Cr.)

(32) Accused was prosecuted by the police under section 19 (e) of the Arms Act for going armed with a revolver. On taking the evidence the Magistrate doubted whether a person could be said to go armed with an unloaded revolver wrapped up in a cloth. He therefore, charged the accused in the alternative with going armed under clause (e) or with possessing the revolver under clause (f) of section 19. After the framing of the charge the Magistrate submitted the record to the District Magistrate, owing to an objection being taken, for his previous sanction under section 29 of the Arms Act. The District Magistrate wrote upon the Diary, "I sanction the institution of proceedings under section 19 (f) of the Arms Act against Kaka". The trial proceeded, and the accused was convicted under clause (f) *Held*, that the police having submitted a report in which it was stated that the accused was found carrying the revolver, and that being described as an offence under clause (e) of section 19, proceedings under clause (f) were instituted only when the Magistrate framed the charge under that clause. Although the framing of the charge when the Magistrate did frame it, was without jurisdiction, yet, if the Magistrate had followed the proper

course of amending the charge, and then obtained sanction as he did, there would be nothing to prevent him from again framing a charge under (f), and proceeding with the trial. The Magistrate cannot be said to be without jurisdiction to try the case merely because he framed the charge before receiving sanction, and did not frame a fresh charge after receiving it. At the time when he took the evidence for the prosecution, no sanction was required, because proceedings in respect of an offence under clause (f) had not then been instituted, and, under Section 258, Cr. P. C., the accused had the right to recall all the witnesses for the prosecution after the charge was framed. He was, therefore, in no way prejudiced by the Magistrate's procedure. The Magistrate, therefore, had jurisdiction, notwithstanding the word 'previous' in Section 29, because, in the circumstances set forth, the proceedings in respect of the offence under clause (f) cannot be said to have been instituted when the Magistrate received the police report. Considering the terms of the District Magistrate's order, it was held that proceedings in respect of the offence under clause (f) were instituted again after the sanction was received, and the absence of a charge framed after sanction, in that case, is cured by Section 535 of the Code of Crim. Procedure.

Kaka v. King-Emperor.

4 L. B. R. 247

(33) Whether in any particular instance an instrument is a fire-arm or not, is a question to be determined according to the facts of each case, and the circumstance that it is in an unserviceable condition is not sufficient to take it out of the category of fire-arms. Where certain fire-arms had been found from the possession of the accused, who had concealed them under a heap of straw, in order that visitors in his house should not see them. *Held*, that the concealment was not with the intention specified in Section 20, and the accused could, therefore, be convicted only under Section 19, clause (f) of the Arms Act.

The Crown v. Anu Walad Bangar.

I. S. L. R. 18 (C).

(34) Under section 5 clause (b) of the Whipping Act 1909 (IV of 1909) Juvenile offenders convicted under sections 19, 20, 22 and 23 of the Act may be punished with whipping.

(H. D. Notification No. 850 dated the 9th March 1910).

20. Whoever does any act mentioned in clause (a), (c), (d), or (f) of

For secret breaches of sections 5, 6,
10, 14 and 15,

section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian

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1860.

Penal Code, or to any person employed upon a railway or to the servant of any public carrier,

and whoever, on any search being made under section 25, conceals or attempts to conceal any arm, ammunition or military stores,

For concealing arms, etc

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

See notes (16) and (33) below Section 19.

21. Whoever, in violation of a condition subject to which a license has

For breach of license.

been granted does or omits to do any act shall, when the doing or omitting to do such act is

not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

22. Whoever knowingly purchases any arms, ammunition or military

For knowingly purchasing arms,
etc., from unlicensed persons,

stores from any person not licensed or authorised under the proviso to section 5, to sell the same; or

delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining

For delivering arms, etc., to persons not authorised to possess them.

that such person is legally authorised to possess the same;

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

(1) Dealers in arms will be responsible if they merely rely on such inquiries to satisfy themselves of the legal authority of any intending purchasers. They are similarly not properly discharging their obligation if they send by post arms to any person who professes himself entitled to possess them. They must make due inquiries, in all cases of sales, and must in all cases where they have not already sufficient proof that the purchaser is legally entitled to purchase, obtain sufficient proof by further inquiry.

(H. D. No. 2964, dated the 11th August 1909.)

(2) The manager of a licensed vendor of arms, ammunition and military stores sold certain military stores without previously ascertaining whether the buyer was legally authorised to possess the same. *Held* that the licensee was liable to punishment under section 23 of the Indian Arms Act 1878, though the goods were not sold with his knowledge and consent. The principle—"whatever a servant does in the course of his employment with which he is entrusted and as a part of it, is his masters act"—is applicable to the present case.

Queen Empress *versus* TYAB ALI,

I. L. R. 24 Bom. 423.

(3) A and his servant N. while out on a shooting excursion, came across a deer recently killed by a tiger. A fixed his rifle over the killed deer so as to form a trap for the tiger and went home leaving the trap in charge of N. A was charged under section 22 of the Arms Act, with having delivered the rifle into the possession of an unauthorised person. *Held*, that the delivery into possession contemplated by section 22 of the Arms Act is such a delivery as gives the person into whose possession the arm is delivered control over the arm and authority to use it as an arm and that therefore A cannot be convicted for an offence under section 22.

Adams *versus* King-Empress,

5 L. B. R. 83

(4) See note (30) to section 19

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Penalty for breach of rule

24. When any person is convicted of an offence punishable under this

Power to confiscate.

Act, committed by him in respect of any arms, ammunition or military stores, it shall

be in the discretion of the convicting Court of Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale shall be confiscated.

(1) Articles which are not arms at all, but are mere curiosities, are not liable to confiscation under the Act.

(Bombay Govt. Notn. No 6205, dated the 9th Sep. 1880)

(3) The discretionary power of confiscating arms by this section should be very considerably used. A mere breach of license is not ordinarily an adequate reason for confiscation, and junior Magistrates should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision.

(U. P. G. O. No. 454-VI-989, dated the 14th Mch. 1887)

VII.—Miscellaneous.

25. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful, purpose,

or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by license, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of, a Magistrate, or by, or in the presence of, some officer specially empowered in this behalf by name or in virtue of his office by the local Government.

The officers mentioned below are empowered under this section to conduct searches
BOMBAY. Police officers of not lower rank than an Inspector.

BENGAL.—Magistrate and Police officers not below the grade of an Inspector
(Notn. dated the 24th March 1879)

UNITED PROVINCES.—Superintendents, Assistant Superintendents and Deputy Superintendents of Police.

(G. O. No. 3264-VI-660-D-2, dated the 9th November 1907)

PUNJAB—All Police officers not below the rank of officer in charge of a station.
(Notn. No. 943, dated the 10th July 1907)

CENTRAL PROVINCES.—All Police officers not below the rank of Sub-Inspector.
(Notn. No. 8126, dated the 6th November 1893).

The defendant, who did not, before causing the search of the plaintiff's house to be made, first record the grounds of his belief as provided for by Section 25 of the Arms Act, could not justify the search under the provisions of the said Act. As there was no proceeding pending before him, the defendant was not a 'Court' within the meaning of Section 94 of the Code of Criminal Procedure, and, therefore, the defendant could not direct a search to be made in his presence under the provisions of Section 105 of the Code. The search having been for the purposes of discovering arms generally, section 185 of the Code did not apply.

Conducting a search for arms is not an act done in the discharge of a judicial duty. Act XVIII of 1850 (Judicial Officers Protection Act) does not apply to such a case. Even where a defendant's *bona fides*, in conducting a search, is established, it does not release him from the obligation the law casts upon him, as being in supreme control of the search party, of seeing that the search was conducted in a proper and reasonable manner. In such a case, the damages should be substantial, and not merely nominal. *Brayendra Kishore Roy Chowdhury v. Clarke.*

8 C. L. J. 75.

26. Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

Seizure and detention by Local Government.

27. The Governor General in Council may, from time to time, by notification, published in the Gazette of India—

Power to exempt

(a) exempt any person by name or in virtue of his office, or any class of persons, or exclude any description of arms or ammunition, or withdraw any part of British India from the operation of any prohibition or direction contained in this Act; and

(b) cancel any such notification, and again subject the persons or things or the part of British India comprised therein to the operation of such prohibition or direction.

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information of the same to the nearest Police officer or the Magistrate, and

Information to be given regarding offences.

every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse the burden of proving which shall lie upon such person, give information to the nearest Police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

29. Where an offence punishable under section 19, clause (f), has been committed within three months from the date on which this Act comes into force in any province, district or place to which section 32, clause 2 of Act XXXI of 1860 applies at such date, or where such an offence has been committed in any part of British India not being such a district, province or place, no proceeding shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the District or, in a presidency town, of the Commissioner of Police.

Sanction required to certain proceedings under section 19, clause (f).

(1) In a district where bison are notoriously in the habit of injuring crops, a license form XI, rule 16 of the Indian Arms Act, Rules (to kill wild beasts which injure crops) justifies the holder thereof in shooting bison for the sake of sport without taking out a sporting license.

QUEEN Versus RAMMAYA. I. L. R., 5 Mad. 26.

(2) A conviction under section 19 (f) is illegal where no previous sanction of the District Magistrate under section 29 was obtained.
In re-Abdul Kadir Sahib

3 M. L. T. 162.

30. Where a search is to be made under the Code of Criminal Procedure, 1882, or the Presidency Magistrates Act, 1877, in the course of any proceeding instituted in respect of an offence punishable under section 19, clause (f), such search shall, notwithstanding anything contained in the said Code, be made in the presence of some officer specially appointed by name or in virtue of his office by the local Government in this behalf, and not otherwise.

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1882
IV OF
1877.

In the MADRAS PRESIDENCY searches in respect of an offence punishable under section 19 (f) may be made in the presence of a Magistrate, an Inspector or Sub-Inspector of Police or of a head of a village. In the taluks of Calicut, Ernad and Wulavanad, Malabar district, searches in respect of offence punishable under section 19 (f) may be made in the presence of a Magistrate, an Inspector, or Sub-Inspector of a Police, station house officer or of a head of a village.

(Notn. Nos 384 and 132 dated the 31st Aug 1883 and the 14th Mch 1885)

In others provinces searches under this section are to be made in the presence of the following officers :—

BOMBAY—Police officers of not lower rank than a Chief Constable.

BENGAL—Magistrate or a Police Officer not below the grade of Inspector

(Notn. dated the 15th Aug. 1879).

UNITED PROVINCES—Magistrate, Justices of the Peace, Superintendents, Assistant Superintendents and Deputy Superintendents of Police, Inspectors and officers in charge of reporting stations

(G. O No. 3386 dated the 16th Novr. 1907).

PUNJAB.—Police-officers of rank not below that of officer in charge of a station,

(Notn. No. 114 dated the 10th July 1909).

CENTRAL PROVINCES—Magistrates and Police Officers not below the rank of Sub-Inspector

(Notn. No. 8126 dated the 6th Nov. 1893).

31. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rule made under it or from being liable under such other law to any higher punishment or penalty than that provided by this Act; Provided that no person shall be punished twice for the same offence.

Operation of others laws not barred.

The case against the accused was found on facts which constituted an offence under the arms act as well as under Section 39 of the Rangoon Police Act. Held that the accused should not have been charged and convicted twice as for two offences under each of the said Acts.

King Emperor *versus* Po. Ka.

3 L. B. R. 218.

32. The local Government may from time to time, by notification in the local official Gazette, direct a census to be taken of all fire-arms in any local area, and empower any person by name or in virtue of his office to take such census.

Power to take census of fire-arms.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

33. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at last one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three month's from the accrual of such cause.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

See Section 3.

Number and year	Title.	Extent of Repeal
XVIII of 1841	An Act for consolidating and amending the enactments concerning the exportation of Military Stores	So much as has not been repealed.
XXX of 1854	An Act to provide for the levy of duties of Customs in the Arracan, Pegu, Martaban and Tenasserim Provinces.	In the preamble, the words "and that the exportation of munitions of war from any of these Provinces into foreign States should be prohibited." Section 11
XXI of 1860	An Act relating to the manufacture, importation and sale of Arms and Ammunition, and for regulating the right to keep and use same, and to give power of disarming in certain cases.	So much as has not been repealed.
VI of 1866	An Act to continue Act No. XXXI of 1860 (relating to the manufacture, importation and sale of Arms and Ammunition, and for regulating the right to keep and use the same and to give power of disarming in certain cases) and for other purposes.	The whole.
III of 1872	The Sonthal Parganas Settlement Regulation.	So much of the schedule as relates to Act XXXI of 1860 and Act VI of 1866.
IX of 1874	The Arakan Hills District Laws Regulation, 1874.	So much of the schedule as relates to Act XVIII of 1841.
XV of 1874	An Act for declaring the local extent of certain enactments and for other purposes.	So much of the first schedule as relates to Act XVIII of 1841.

THE SECOND SCHEDULE.

ARMS, ETC., LIABLE TO DUTY.

[Repealed by Act XII of 1891.]

Resolution, No. 3052-3101 Government of India, Home Department, dated the 16th August 1909.

The Rules issued under the Indian Arms Act, 1878, were originally published with the Home Department Notification No. 518, dated the 6th March 1879. As the result of successive amendments and additions during the past thirty years, these rules have become most intricate and confusing, and it is believed that in their present form they cause inconvenience to the officers who have to administer them as well as to the public, especially to those who are connected with the trade in arms and ammunition. The Governor General in Council has therefore caused them to be codified in a clearer form. The revised rules have been circulated to local Governments and Administrations for their opinions; and a large number of minor amendments suggested by them have been adopted. The rules as finally approved by the Governor General in Council are now published for general information, in supersession of those hitherto in force. The changes which have been made in the rules are, for the most part only such as are necessary in order to make them clear or in consequence of administrative changes, such as the formation of the North-West Frontier Province, the creation of new districts in the Punjab and the formation of the province of Eastern Bengal and Assam.*

* The Act and the rules which were in force in Bengal and Eastern Bengal and Assam were made applicable to the reconstituted provinces of Bengal and Behar and Orissa and Assam. *Vide* Bengal, Behar and Orissa and Assam Laws Act VII of 1912.

Home Dept. Notification, No. 3102 dated the 16th August 1909, as amended by subsequent notifications.

In exercise of the powers conferred by section 4, 10, 11, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), and in supersession of all previous Notifications on the same subject, the Governor General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores.

Provided that all exemptions, exclusions or withdrawals made, all licences or duplicates granted or renewed, all fees imposed, levied, remitted or reduced and all powers conferred by or under any Notification hereby superseded, and in force at the commencement of this Notification, shall, so far as they are consistent herewith, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

THE INDIAN ARMS RULES, 1909.

As amended by subsequent notifications.

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THE SCHEDULES.**THE RULES.**

1. **Short Title.** These rules may be called the Indian Arms Rules, 1909.

2. **Interpretation.** In these rules unless there is anything repugnant in the subject or context—

(a) all words and expressions, which are defined in the General Clauses Act, 1897, shall have the meanings respectively assigned

to them thereby ; and the provisions of sections 9, 10 and 13 to 19 of the said Act shall be deemed to apply as if these rules were an enactment made by the Governor General in Council after the commencement of the said Act.

- (b) all reference to the "Magistrate of the District" shall, in the case of Aden, be construed as referring to the Assistant Resident.

Application of the Act,

3. Exemption, exclusion and withdrawal. (1) Under section 27,—

- (a) the persons and classes of persons,
- (b) the arms and ammunition, and
- (c) the parts of British India,

specified or described in Schedules I to IV are, respectively, exempted, excluded and withdrawn, to the extent there indicated, from the operation of prohibitions and directions contained in the Act.

(2). The exemptions specified in Schedule I are conferred subject to the condition that they shall not be deemed to render lawful the import of arms or ammunition, or the transport within the province of Burma of arms, ammunition or military stores, through the medium of the Post Office.

(H. D. No. 4410, dated the 23rd July 1910 and No. 2009, dated 7th July 1911)

4. Extension. For the purposes of the definition of "military stores" contained in section 4, all sections of the Act are extended, throughout British India, to all lead, sulphur and saltpetre.

Searching Posts.

5. Searching posts. For the purposes of section 11, searching posts shall be established at the land custom-houses between British India and—

- (a) the French Settlements on the eastern and western coasts, and
- (b) the Portuguese Settlements on the western coast.

Import.

6. Restriction upon import of cannon and certain other articles

(1) A license for the import of—

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2). A copy of every license granted in accordance with sub-rule (1) shall be forthwith sent—

(a) where the articles are consigned to a Presidency-town or Rangoon, to the Commissioner of Police, or

(b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

7. Restriction upon import of arms, ammunition and military stores from Portuguese India. A license shall not be granted for the import of any arms, ammunition or military stores from Portuguese India.

Provided that nothing in this rule shall be deemed to limit or otherwise affect the power to grant a license for the import of explosives, which in the opinion of the authority granting the license, are intended in good faith for blasting purposes.

(H. D. Notification No. 266, dated the 9th February 1911.)

8. Restriction upon import of certain rifles. (1) A license shall not be granted for the import by sea or river or land—

(a) of rifles of .303 or of .450 bore or parts of or fittings for rifles of such bores or, save as otherwise provided by rule 31, of ammunition which can be fired from such rifles, or of appliances the object of which is the silencing of firearms.

(b) save by special order certified under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department, of rifles, or parts of or fittings for rifles, of any other bore ;

(c) of any arms or ammunition into British India through the medium of the Post Office.

(H. D. Notification No 4410, dated the 23rd July 1910.)

(2). Nothing in sub-rule (1), clause (b), shall be deemed to limit or otherwise affect the power to grant, save as otherwise provided by rule 7, a license for the import of rifles, or parts of or fittings for rifles, which, in the opinion of the authority granting the license, are intended in good faith for sporting purposes.

(1) The sights of guns and rifles should be regarded as parts of arms within the meaning of the Indian Arms Act, 1878. The sights for rifles of .303 bore fall accordingly within the restriction imposed by rule (8) (1) (a) of the Indian Arms Rules, upon the importation of rifles, or parts of such rifles, of such bore.

(H. D. letter No. 900 dated the 1st May 1911.)

(2) It has been decided that licenses shall not in future be required in the case of re-importation of rifles of certain military patterns, and that it may be left to the Customs authorities to give the necessary permission to re-import, a reference being made to the Local Government in doubtful cases. The following conditions have accordingly been laid down to govern cases of re-importation, and, subject to them, the Customs authorities have discretion to admit weapons of the classes referred to :

- (1) that the examination of the arms at the Customs House at the time of export shall be compulsory ;
- (2) that, as a general rule, export passes giving a full description of the weapons to be exported shall be obtained from the Collector of Customs by the person exporting the weapons ;
- (3) that these passes shall be accepted by the Collector of Customs as the best proof of export on the weapons being satisfactorily identified at the time of re-importation ; and
- (4) that in cases in which such export passes have not been obtained, it will rest with the Collector of Customs personally to accept such other proof of export as he may consider reasonable and proper.

(Burma Govt Cir. No. 42, 1903.)

(3) Rifles of prohibited bores imported into India by travellers and detained by the Collector of Sea Customs should be sent at the owner's expense to the port from which he intends to leave India, there to be kept in bond until claimed by him, provided that the Customs Officer is satisfied that the importation was made in ignorance of the prohibitions in force and that the importer is a *bona fide* traveller whose stay in this country will not exceed a reasonable time.

[Home Dept. letter No. 794, dated the 26th Mch. 1908]

9. Import of arms, ammunition or military stores into certain ports.

(1) Save as otherwise provided by rules 6 to. 8, a license may, subject to the provisions of sub-rule (2), be granted for the import by sea—

- (a) of arms, ammunition or military stores, at any Presidency-town and at Rangoon by the Commissioner of Police ;
- (b) of arms, ammunition or military stores, at the ports of Calicut, Karachi and Aden by the District Magistrate ;
- (c) of saltpetre or lead, at the ports of Akyab and Moulmein by the District Magistrate ; and
- (d) of sulphur in reasonable quantities proved to the satisfaction of the Government of Madras to be required in good faith for medicinal, manufacturing or agricultural purposes, in respect of the port of Tuticorin by the said Government.

(2) All arms, ammunition or military stores imported into Aden shall be—

- (a) landed at the Abkari Pier at Tawahi only, and
- (b) removed thence by the importer to such Government warehouse as the Resident may, from time to time, appoint in this behalf.

10. Import of arms, ammunition or military stores by sea from Madras, Rangoon or Bombay into certain ports. Save as otherwise provided by rules 6 to 8, a license for the import by sea of arms, ammunition or military stores—

- (a) from the port of Madras into the port of Tuticorin, Cochin, Bimlipatam, Coconada, Negapatam, Mangalore, Gopalpore, Visagapatam, Pamban or Masulipatam, or
- (b) from the port of Rangoon into the port of Akyab, Moulmein, Sandoway, Kyaukpyu, Tavoy or Mergui,
- (c) from the port of Bombay into the port of Cochin or Mangalore, may be granted by the Magistrate of the district in which the port of import is situated.

11. Import by land or river of arms, ammunition or military stores, otherwise than into Ajmer-Merwara. (1) Save as otherwise provided by rules 6 to 8, and subject to the provisions of rule 33, sub-rule (2), a license for the import by land or river, otherwise than into Ajmer-Merwara, of arms, ammunition or military stores may be granted, FORM III

- (a) where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon, by the Commissioner of Police, or
- (b) where they are consigned to any other place, by the Magistrate of the district in which such place is situated.

(2) Where arms belonging to any person who—

- (a) resides in a Native State in India, and
- (b) is exempted under schedule I from the necessity for taking out a license in respect of such arms,

are imported solely for the purpose of repair, the Political Agent for such State may grant a similar license, which shall also cover the re-export to such State of such arms.

(3) Where the arms, ammunition or stores are imported from a Native State, a copy of the license shall be forthwith sent to the Political Agent for such State.

(4) Where the arms, ammunition or stores are imported by road or river and consigned to a district not on the frontier of British India, a copy of the license shall be forthwith sent to the Magistrate of the district into which they cross such frontier; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(5) Where the arms, ammunition or stores are imported by rail, a copy of the license shall be forthwith sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned.

12. Import of arms, ammunition or military stores into Ajmer-Merwara. (1) Save as otherwise provided by rules 6 to 8, a license for the import into the district of Ajmer-Merwara of arms, ammunition or military stores may be granted—

- (a) under the signature of a Secretary to the Government of India in the Foreign Department, or
- (b) under the signature of a Secretary to the Government of Bombay, provided that the ammunition is *bona fide* required for the exclusive use of the Rajputana-Malwa Railway, and that the application for such license is made by a responsible officer of the said Railway, or
- (c) by any other officer specially empowered by the Government of India in this behalf.

(2) A copy of every license granted under sub-rule (1) shall be forthwith sent to the Commissioner of the district of Ajmer-Merwara.

(3) Where the arms, ammunition or stores are imported by rail, a copy shall be forthwith sent by the officer granting the license to the railway authorities at the place to which such arms, ammunition or stores are consigned.

13. Scrutiny by railway authorities of consignments. (1) The railway authorities, to whom a copy of a license has been sent under rule 11, sub-rule (5), or rule 12, sub-rule (3), shall require the consignee to produce the original license and shall satisfy themselves—

- (a) that the arms, ammunition or stores claimed by him correspond with the description given in such license, and
- (b) that such license is identical in substance with the copy sent to them.

(2) Where, in any case referred to in sub-rule (1)—

- (a) the consignee fails to produce the original license, or
- (b) the arms, ammunition or stores claimed by him do not correspond with the description given in such license, or
- (c) the license is not identical in substance with the copy sent to the railway authorities,

such authorities shall not deliver the consignment and shall forthwith inform the nearest Magistrate.

14. Production and delivery of import licenses. (1) The consignee of arms, ammunition or military stores imported under a license shall

(a) where the consignment crosses the frontier by land or river, produce the license, within six days of such crossing, before the Magistrate of the district into which the consignment so crosses, or other officer empowered by him in this behalf; and

(b) in any case in which the consignment is imported by land or river, deliver the license, within six days of the arrival of such consignment at its destination—

(i) in any Presidency-town or Rangoon, to the Commissioner of the Police, or

(ii) in any other place, to the Magistrate of the district.

(2) Every officer before whom a license is produced or to whom a license is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the license; and

(b) that any deficiency is properly accounted for.

Export.

15. Restriction upon export by sea of cannon and certain rifles. (1) A license shall not be granted, save by special order certified under the signature of a Secretary to the Government of India in the Home Department or, so far as the District of Ajmer-Merwara is concerned, in the Foreign Department, for the export by sea of—

(a) cannon, or

(b) save as otherwise provided in sub-rule (2) rifles, or parts of or fittings for rifles.

(2) Nothing in sub-rule (1), clause (b), shall be deemed to limit or otherwise affect the power to grant a license for the export by sea of rifles, or parts of or fitting for rifles which, in the opinion of the authority granting the license, are intended in good faith for sporting purposes.

16. Export by sea of arms, ammunition or military stores from and to certain ports. (1) Save as otherwise provided by rule 15, a license for the export by sea of arms, ammunition or military stores may, subject to the provisions of sub-rules (2) and (4), be granted—

(a) at the port of any Presidency-town or Rangoon, by the Commissioner of Police, or

(b) at the port of Calicut, Karachi or Aden, by the Magistrate of the district.

(2) Save as otherwise provided in sub-rule (3), every license granted under sub-rule (1) shall be for export either—

(a) subject to the provisions of rule 33, sub-rule (2), to such of the ports mentioned in clause (a) or clause (b) of sub-rule (1), or

(b) from the port of Madras to such of the ports mentioned in rule 10 (a), or

(c) from the port of Rangoon to such of the ports mentioned in rule 10 (b), or

(d) from the port of Bombay to such of the ports mentioned in rule 10 (c), or

(e) to such other place in His Majesty's dominions outside India, as may be specified or described therein.

(3) A license may be granted at any of the ports mentioned in clause (a) or clause (b) of sub-rule (1) for the export by sea of saltpetre or lead to the ports of Akyab or Moulmein.

(4) A copy of every license of the nature referred to in clause (a) (b) (c) and (d) of sub-rule (2) and in sub-rule (3) shall be forthwith sent—

(a) where the arms, ammunition or stores are consigned to any Presidency-town or Rangoon, to the Commissioner of Police, or

(b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

17. Export by sea of arms, ammunition or military stores from ~~from~~ certain ports to ports in Native States or foreign territory. (1) A license may be granted under the signature of the Secretary to the Government of India in the Foreign Department, or by the officers enumerated in column 1 of Schedule V from the ports mentioned in column 2 to the ports mentioned in columns 3, and subject to the conditions mentioned in column 4 in each case, for the export by sea of arms other than—

(a) cannon, or

(b) such rifles or parts of or fittings for rifles as fall within the restriction imposed by rule 15,

or for the export by sea of ammunition or military stores from any of the ports of Madras, Bombay, Calcutta, Rangoon, Calicut, Karachi, or Aden—

- (i) to any port in any Native State in India, or
- (ii) subject to the provisions of sub-rule (2), to any port, other than a British port, in any other foreign territory.

(2) A license shall not be granted under sub-rule (1) for export to any such port on the sea-board of Arabia as is referred to in clause (ii) of that sub-rule, other than a port in the political charge of the Resident—

- (a) at Aden,
- (b) in the Persian Gulf, or
- (c) in Turkish Arabia.

(3) A copy of every license issued under this rule for the export of arms, ammunition or military stores to any port in a Native State in India or to any port in the political charge of the Resident at Aden or of the Political Resident in the Persian Gulf, or of the Political Resident in Turkish Arabia shall be sent forthwith by the authority granting it to the Political Agent, Resident (unless the Resident at Aden be the authority granting the license), or the Political Resident concerned, and such Political Agent, Resident or Political Resident may, in his discretion, require the licensee or his agent to produce the arms, ammunition or military stores covered by such license for his inspection before permitting them or it to be delivered to the consignee.

(4) The authority granting a license under this rule shall also send a copy of such license to the agents or master of the vessel by which it is intended that the arms, ammunition or military stores covered by the license shall be shipped to the port of destination, and such agents or master shall not receive for despatch any case or package containing arms, ammunition or military stores unless such case or package is accompanied by the original license, and shall satisfy themselves or himself—

- (a) that the arms, ammunition or stores correspond with the description given in such license, and
- (b) that such license is identical in substance with the copy sent to them or him.

(5) Where in any case referred to in sub-rule (4) —

- (a) the case or package is not accompanied by the original license, or
- (b) the arms, ammunition or stores contained therein do not correspond with the description given in such license, or
- (c) the license is not identical in substance with the copy sent to them or him, such agents or master shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

18. Export by land or river of arms, ammunition or military stores, FORM 1
to Native States or out of Ajmer-Merwara. (1) A license for the export by
 land or river—

- (a) of arms, ammunition or military stores to any place beyond the frontier of British India, or
- (b) of arms, ammunition or military stores out of the district of Ajmer-Merwara, may be granted—
- (i) under the signature of the Secretary to the Government of India in the Foreign Department, or
- (ii) by the officers enumerated in column 1 of Schedule VI for the places mentioned in column 2 and subject to the conditions mentioned in column 3 in each case.

(2) A license for the export by land or river of arms, ammunition or military stores to any Native State in the political charge of the Government of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab or Eastern Bengal and Assam, or of the Chief Commissioner of the Central Provinces may be granted under the signature of a Secretary to such Government or such Chief Commissioner, respectively, or by such other officer as may be empowered by the Government of India in this behalf.

(3) Where any arms, ammunition or stores exported under a license granted under this rule are exported to a Native State, a copy of such license shall be forthwith sent to the Political Agent for such State.

(4) Where the arms, ammunition or stores are exported by road or river, a copy of the license shall be forthwith sent to the Magistrate of the district out of which they cross the frontier of British India; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(5) Where the arms, ammunition or stores are exported by rail, a copy of the license shall be forthwith sent by the authority granting it,—

- (a) in the case of a consignment despatched from a Presidency-town or from Rangoon, to the Commissioner of Police, and,
- (b) in all other cases, to the Magistrate of the district from which the consignment is to be despatched.

(6) The Commissioner of Police or Magistrate of the district shall forthwith send a copy to the railway authorities at the place from which the consignment is to be despatched; and the railway authorities shall not receive

for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original license and shall satisfy themselves—

(a) that the arms, ammunition or stores correspond with the description given in such license, and

(b) that such license is identical in substance with the copy sent to them.

(7) Where in any case referred to in sub-rule (6)—

(a) the case or package is not accompanied by the original license, or

(b) the arms, ammunition or stores contained therein do not correspond with the description given in such license, or

(c) the license is not identical in substance with the copy sent to them,

such authorities shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

19 Delivery of export licenses. (1) Where any arms, ammunition or military stores are exported by road or river,—

(a) the consignee, or

(b) if the arms, ammunition or stores are in charge of any person travelling with them, such person

shall, within six days of the arrival of the consignment in the district out of which it is to cross the frontier and before it so crosses, deliver the license to the Magistrate of such district or other officer empowered by him in this behalf.

(2) Every officer to whom a license is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the license, and

(b) that any deficiency is properly accounted for.

Import and re-export.

19-A. Import and re-export, by sea, of arms, ammunition and military stores.—Where a vessel bound for a port other than a port in British India, calls at any port in British India in the course of its voyage, any arms, ammunition or military stores in the possession of any passenger not exempted from liability to take out a license in respect of such possession shall be delivered by him to the Customs Collector to be detained until his departure by sea, and it shall not be necessary for such passenger to take out any license

in respect of arms, ammunition or military stores so delivered and detained.
(H. D. notification No. 4959, dated the 30th September 1910.)

19-B. Prohibition of transport by post of arms, ammunition, or military stores within the province of Burma.—The transmission by post within the province of Burma of arms, ammunition or military stores is prohibited.

(H. D. notification No. 2009, dated the 7th July 1911.)

(1) No license is required for the export of arms, ammunition or military stores issued to Native States from British arsenals under the orders of Government. Each consignment however should be covered by a certificate signed by the officer in charge of the arsenal to the effect that it is exported by order of Government under section 1 (b) of the Act

(For. Dept. No. 1816-I, dated the 2nd June 1890.)

(2) It is a matter of the greatest importance that effectual measures should be taken to prevent arms exported for retail sale in a Native State from getting into the hands of persons unfit to possess such weapons but after a license for a consignment has been given, it is practically impossible to secure any control over the ultimate disposal of the arms covered by it. It is not, therefore, thought advisable that the export of rifles, guns and revolvers for sale in Native States should ordinarily be permitted, except under the restriction mentioned below.

Political officers should be instructed not to give in future certificates of their consent to intending importers of arms without first satisfying themselves that the arms are actually required for the personal use of some responsible and respectable person who would be entitled to possess them under the Arms Act rules if he were in British India. In large cantonments such as Secunderabad, Mhow, &c., it will not be practicable, and in some cases perhaps not desirable, to enforce this restriction so unreservedly as in Native States proper, but even there the local authorities should be careful in the matter of granting certificates for the import of arms, and it is presumed that in all such cantonments there will always be some control over the sale of any arms that may be imported.

(For Dept. No. 2735-f, dated the 8th July 1889)

Transport.

20. Prohibition of transport of arms, ammunition or military stores otherwise than under license. (1) Save as herein otherwise provided, the transport of any description of arms, ammunition or military stores is prohibited over the whole of British India, except under a license and to the extent and in the manner permitted by such license

(2) Subject to the provisions of rule 33, nothing in sub-rule (1) shall be deemed to apply to—

(a) arms, ammunition or military stores which are covered by a license for their import or export and are being transported in accordance with such license—

(i) from the port or other place of import to the place of destination in British India;

(ii) from the place of despatch in British India to the port or other place of export;

(iii) in the port of import and re-export during transshipment.

(b) arms, ammunition or military stores transported—

- (i) by any person, licensed to possess such articles or exempted from the liability to obtain such a license, in reasonable quantities for his own use from the premises of a licensed dealer, or
- (ii) by a licensed dealer, in a case or package legibly addressed to such a person as is referred to in clause (1), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use, or
- (c) arms and ammunition transported, in reasonable quantities for his own use, by any person lawfully entitled to possess arms or to go armed.

21. (1) **Restriction upon transport of cannon and certain other FORM 1 articles.** A license for the transport of—

- (a) cannon,
 - (b) articles designed for torpedo service,
 - (c) war-rockets, or
 - (d) machinery for the manufacture of arms or ammunition,
- shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2) A copy of every license granted in accordance with sub-rule (1) shall be forthwith sent—

- (a) where the articles are consigned to a Presidency-town or Rangoon, to the Commissioner of Police, or
- (b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

22. **Transport of arms, ammunition or military stores.** (1) Save as FORM VI. otherwise provided by rule 21, and subject to the provisions of rule 33, sub-rules (2) and (3) and rule 36, sub-rule (2), a license for the transport of arms, ammunition or military stores may be granted—

- (a) where the arms, ammunition or stores are consigned from a Presidency-town or from Rangoon, by the Commissioner of Police, or
- (b) where they are consigned from any other place, by the Magistrate of the district in which such place is situated,
- (c) where they are consigned from any place in Baroda to any other place in Baroda separated therefrom by British Indian territory, by the Resident or Assistant Resident in Baroda.

(2) A copy of every licence granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it shall be forthwith sent—

- (a) where the arms, ammunition or stores are consigned to any Presidency-town or Rangoon, to the Commissioner of Police, or
- (b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

(3) A copy of every license granted under sub-rule (1) by the Magistrate of a district for transport within the limits of such district shall be forthwith sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the license shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not leave the railway premises unless the railway police or, if there are no railway police, the railway authorities have satisfied themselves that the arms, ammunition or military stores correspond with the description given in the license.

23. Delivery of transport licenses. (1) The consignee of any arms, ammunition or military stores transported by land or river under a license *** shall deliver the license, within six days of the arrival of the consignment at its destination,—

- (a) in any Presidency town or Rangoon, to the Commissioner of Police, or
- (b) in any other place, to the District Magistrate having jurisdiction over the place of destination or such other Magistrate as he may appoint for this purpose.

(2) Any officer to whom a license is delivered under sub-rule (1) shall satisfy himself —

- (a) that the arms, ammunition or military stores correspond with the description given in the license, and
 - (b) that any deficiency is properly accounted for,
- and any subordinate Magistrate, to whom a license is delivered under clause (b) of that sub-rule, shall return it to the Magistrate of the district.

(1) Although the word "transport" as used in the Indian Arms Act, XI of 1878, would, in a certain sense, include every movement from place to place, yet the Government of India consider that, looking to the general objects of the Act, and the difficulties which might result from construing the word in its widest sense, it is reasonable to attach to it a more restricted meaning, which it would not, perhaps be easy to define precisely, but which would certainly not include such movement as the removal of arms from a warehouse to a shop in the same

town, or the landing of arms imported. Under such restricted interpretation of the term no license is required for the removal of ammunition from one magazine and warehouse to another in the same locality

(Home Dept. No. 38-2955 dated the 9th Nov. 1888)

(2) In order to avoid the possibility of transport license being used more than once, the time for which such licenses are valid should invariably be entered in the proper column of the license. The time allowed, specially in the case of arms, ammunition or military stores licensed for transport through any part of British India to the frontier, should be carefully restricted to such period as may be considered reasonable.

(Home. Dept. letter No. 44—1737 dated the 23rd Sept. 1879.

(3) In the transmission of arms, ammunition and military stores from one British district to another through foreign territory the procedure prescribed is that both an export and an import license, in the regular form, should be taken out—the export license for the transmission, of the consignment to foreign territory, and the import license to cover its reconveyance into British territory.

Whenever such a case may arise a copy of the original license for export should be communicated to the Magistrate of the place to which the consignment is ultimately destined.

(For Dept. No. 2864-I., dated the 29th June 1887.)

Manufacture and sale.

24. Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores (1) A license—

(a) to manufacture, convert, sell or keep and sell, or

FORM XI.

(b) to keep and sell

FORM XII

any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2) be granted—

(i) in any Presidency town or Rangoon, by the Commissioner of Police, or

(ii) in any other place, by the Magistrate of the district.

(2) A license—

(a) to manufacture, convert sell or keep and sell, or

FORM XIII

(b) to keep and sell

FORM XIV.

breech-loading rifles, rifle ammunition or military stores for rifles shall not be granted save—

(i) by the local Government, or

(ii) in Sind, by the Commissioner in Sind.

(3) The local Government or the Commissioner in Sind may, by licenses granted by it or him under this rule, authorize selected dealers to keep and sell a specified amount of ammunition for rifles of '303 or of '450 bore;

Provided that the licensee shall not sell from his stock to any person who does not hold—

- (a) a license to possess such ammunition, or
- (b) a license for the export of ball'd ammunition from a Native State granted by a Political Officer under the third proviso to the second paragraph of the Resolution of the Government of India in the Foreign Department, No. 3001 I.-A., dated the 27th June 1903.

(4) Every Magistrate and every Police officer not below the rank of Inspector, or, if the local Government so directs, of Sub-Inspector may, within the local limits of his authority,—

- (a) enter and inspect any premises in which arms or ammunition or military stores, including sulphur, are manufactured, converted, sold, or kept and sold, and
- (b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

(1) Licensed dealers should not sell automatic repeating guns or even the ordinary pattern of repeating guns such as the Winchester unless the terms of the license cover the same.
Bengal Government No 2126, dated the 13th July 1910

(1)

2 *The Governor-General in Council is, therefore, pleased under, rule 7 of paragraph VI of the Notification of the Government of India in the Home Department, No 518, dated the 6th March 1879, and subsequently amended, and in supersession of Resolution No. 3129 I-A, dated the 19th August 1901 —

(to empower * * * *Vide* Schedule VI.)

- (2) to remit the fee of Rs 5, in the case of arms and ammunition exported for the personal use of persons of the classes mentioned in Schedule I

Provided that the power thus conferred upon Political Officers shall not extend—

- (a) to cannon, or
- (b) to military stores of any kind other than sulphur; or
- (c) save as hereinafter provided, to rifles of the .303 bore and of the .450 bore *** or
- (d) save as hereinafter provided, to ball'd ammunition which can be fired from rifles of the bores and pattern specified in sub-head (c);

Provided secondly, that, notwithstanding anything contained in sub-head (c) of the first proviso, licenses for the export of rifles of the bores and pattern there specified may be granted to persons of the classes mentioned in Schedule I above cited, subject to the condition that the rifles must either have been in India on the 20th February 1901, or have since been imported with the special sanction of the Government of India.

Provided, thirdly, that notwithstanding anything contained in sub-head (d) of the first proviso, licenses for the export of cartridges of the nature therein specified may be granted to persons of the classes mentioned in the Notification above cited, subject to the conditions that the number of such cartridges does not exceed two hundred in any one year and that they are for the personal use of the licensees.

3. The Commissioners of Police in Madras and Bombay, the Deputy Commissioner of Police in Calcutta, and the other officers, to whom authority has been delegated under Rule 7 of the Arms Act Rules, will retain the power which they now possess to grant licenses under prescribed conditions for the export of arms and ammunition to the Native States; but in future no such officer may grant a license for the export to a Native State of any arms for the import of which into India a special order of the Government of India in the Home Department is required, unless the arms were in India on the 20th February 1901 or have since been imported with the special sanction of the Government of India, and are required for the personal use of persons of the classes mentioned in Schedule I. (For. Dept. res., No. 3001 I-A., dated the 27th June 1903.)

(2) The selected dealers referred to in rule 24 (3) shall not be permitted to keep in stock at any one time more than 25000 rounds collectively of the ammunition for rifles of prohibited bores and their books will be open to inspection and their sales liable to comparison with the number of licenses for possession issued to individuals.

This 25000 rounds mentioned is not an annual quantity, but the maximum quantity of ammunition of the prohibited bores which any dealer can be permitted to hold at any one time. This quantity is the "collective total" of the three kinds of ammunition.

(Home Dept. letter No. 906, dated the 20th Feb. 1901) and No. 5672, dated the 18th Oct 1901.

Possession.

25. Restriction upon possession of cannon and certain others articles.

(1) A license for the possession of—

(a) cannon,

FORM I.

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2) A copy of every license granted in accordance with sub-rule (1), shall be forthwith sent—

(a) where the articles are to be kept in any Presidency-town or Rangoon, to the Commissioner of Police; or

(b) where they are to be kept in any other place, to the Magistrate of the district.

26. Possession of fire-arms, ammunition or military stores Save as FORM IV.
otherwise provided by rule 25 and rule 33, sub-rule (2) and (4), a license for the possession only of fire-arms, ammunition or military stores may be granted by the Magistrate of any district, or in the Presidency-towns or Rangoon by the Commissioner of Police.

Possession and Going Armed

27. Possession of arms and ammunition and going armed for sport, protection or display. (1) Save as otherwise provided in rule 25 and rule 33. sub-rules (2) and (4), a license for the possession of arms and ammunition in reasonable quantities and for going armed for the purposes of sport, protection or display may, subject to the provisions of sub-rules (4) and (5) of this rule, be granted—

(a) in any Presidency-town or Rangoon, by the Commissioner of Police,
or

(b) in any other place, by the Magistrate of the district,
provided that no license shall be granted for the possession of rifles of the .303 or .450 bore or ammunition for the same, or for going armed with such rifles, unless such rifles and ammunition have been lawfully imported into British India.

(2) A license granted under sub-rule (1) shall on countersignature—

(a) by the Commissioner, or

(b) where there are no Commissioners, by such other officer as the local Government may empower in this behalf,

be valid for such divisions or districts within the Province as he may specify.

(3) In places to which section 15 applies, a license may be granted under sub-rule (1) to the heir or successor of any person to whom arms have been presented by or under the orders of the Government, in respect of such arms.

(4) A license may be granted under sub-rule (1) for the possession of reasonable quantities of ball'd ammunition which can be fired from rifles of .303 or .450 bores to any person lawfully in possession for sporting purposes of a rifle of such bore.

(5) On every license of the nature referred to in sub-rule (1), there shall be entered the amount of ball'd ammunition which the licensee may possess during the period of twelve months next ensuing.

(1) Licenses for the possession of more than one revolver of European manufacture or magazine pistol should not be issued to a non-exempted person * * *

(2) A District Magistrate can give a license for the possession of a rifled revolver without the previous sanction of the Board of Revenue in Madras, Chief Commissioner of Coorg and of the Commissioner of a Division in other provinces.

(Home Dept, letter No. 6315- 6324, dated the 13th Dec. 1901,)

(3) No officer has been authorized by Government of Madras to countersign licenses in view to give them validity for all the districts in the Presidency. The proper course is for the applicant to obtain the countersignature of the Magistrates of the various districts in which he desires his license to be in force, or to take out a fresh license for each district.

(G. O. No. 192. dated the 8th Feb'y 1882)

(4) The Commissioner of Police, Bombay, has been authorized to countersign licenses granted by him for the city of Bombay in order to render them valid for all the districts of the Presidency.

(Notn No. 6344, dated the 14th Novr. 1892.)

(5) In order to enable persons who are already in possession of rifles of prohibited bores to obtain cartridges for their use, the Governor-General in Council has decided that they may be allowed to possess such ammunition to the extent of 200 rounds annually, for each class of rifle, subject to the condition that they should obtain a license which should be made over to the selected dealer. This provision will apply to all persons whether exempted or not, but in the case of exempted persons the license will be granted free of license fee.

(Home Dept. No. 906-912, dated the 20th Feby. 1904.)

(6) The prohibition against the possession of ammunition shall be confined absolutely to ammunition of .303 and .450 bore

(Home Dept No. 3495, dated the 20th Decr. 1902).

(7) Licenses under the Indian Arms Act XI of 1878 should be given free of charge to all Settlement Naib Tehsildars on application made by them.

(F. C. P. No. 452, dated the 17th July 1906).

28. Possession of arms and ammunition and going armed for the destruction of wild animals Save as otherwise provided by rule 33, sub-rules (2) and (4), a license for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted by the Magistrate of any district.

FORM
XVII.

29. Possession of arms and ammunition and going armed for the protection of crops Save as otherwise provided by rule 33, sub-rules (2) and (4), a license for the possession of arms and ammunition and for going armed or the destruction of wild animals which do injury to crops or cattle may be granted by the Magistrate of any district.

FORM
XVIII.

Provided that such license—

(a) shall only be granted to *bona fide* cultivators;

(b) shall be valid only for the place or tract specified in the license by the licensing officer.

30. Going armed on a journey. (1) Save as otherwise provided by rule 33, sub-rules (1) and (4), a license for going armed on a journey in or through any Province may be granted—

(a) in any Presidency-town or Rangoon, by the Commissioner of Police;

(b) in any other place, by the Magistrate of the district; or

(c) in the case of a person residing in any Native State in India, by the Political Agent for such State.

(2) Where a Commissioner of Police or Magistrate of a district receives an application for a license of the nature referred to in sub-rule (1) from any person who—

- (a) is not resident within the local limits of his authority ; or
- (b) is not personally known to him, he shall, before granting the license, ascertain—

- (i) when the applicant resides in any Presidency-town or Rangoon, from the Commissioner of Police,
- (ii) when the applicant resides in any other place in British India, from the Magistrate of the district, or
- (iii) when the applicant resides in any Native State in India, from the Political Agent for such State,

whether there is any objection to the grant of the license, unless, for reasons to be recorded, he considers this precaution to be clearly unnecessary.

No Political Officer, shall under any circumstances, issue a license in from XIX covering more than 30 armed retainers without previous reference to the local Government of the province in which the licensee proposes to travel. In the event of a local Government dissenting from the recommendation of a Political Officer not serving directly under its orders, it would still be open to him for sufficient reasons to refer the matter for the consideration of the Government of India, but armed retinues must be discouraged as much as possible.

(For. Dept letter No. 2273-J., dated the 8th Jan. 1889).

Possession and Import or Transport.

31. Possession by dealers of certain balled ammunition with liberty to import (1) A licensed dealer authorized by the local Government or the Commissioner in Sind under rule 24, sub-rule (3), to keep and sell a specified amount of balled ammunition for rifles of '303 or of 450 bore may be permitted—

- (a) in any Presidency-town or Rangoon by the Commissioner of Police, or
- (b) in any other place by the Magistrate of the district, to import such ammunition up to such amount.

(2) Where applications is made under sub-rule (1) for permission to import balled ammunition, the dealer shall produce his license and if permission is granted, the authority granting it shall endorse on the license the quantity of balled ammunition for which, and the date on which, such permission was granted.

Rule 32 has been cancelled H. D. Notification No. 3857, dated the 8th July 1910.

Applications for and grant of licenses.

33. Consent or previous sanction in certain cases. (1). A license, having effect beyond the local limits of the authority of the officer granting

it, shall not be granted for the export, import or transport of any arms, ammunition or military stores—

(a) to any Native State in India without the consent of the Political Agent for such State;

provided that the consent of such Political Agent shall not be necessary in cases where the consignee is a European subject of His Majesty and a gazetted civil or commissioned military officer and the consignment is intended for the personal use only of the consignee ;

(b) to any Presidency-town or Rangoon, without the consent of the Commissioner of Police, or

(c) to any other place in British India, without the consent of the Magistrate of the district.

(d) At any port within the political charge of the Political Resident at Aden, the Political Resident in the Persian Gulf and the Political Resident in Turkish Arabia, without the consent of such Political Resident.

(2) Save by the Commissioner of Police in any Presidency-town or Rangoon, a license shall not be granted under rule 11, rule 16, sub-rule (2) clause (a), rule 22, rule 26, rule 27, rule 28, rule 29, or rule 30 in respect of any breech-loading rifle or ball ammunition without the previous sanction—

(a) in the Madras Presidency, of the Board of Revenue,

(b) in the province of Coorg, of the Chief Commissioner ; or

(c) in any other place, of the Commissioner.

See notes (1) and (2) to rule 28 ante:

(3) Save as aforesaid, a license shall not be granted under rule 22 for the transport of any breech-loading rifle or ball ammunition to any place in—

(a) the North-West Frontier Province, or

(b) the Rawalpindi or the Dera Ghazi Khan or the Mianwali or the Attock District of the Punjab,

without the previous sanction—

(i) of the local Government, or

(ii) where the rifle or ammunition is transported from Sind, of the Commissioner in Sind.

(4) A license shall not be granted under rule 26, rule 27, sub-rule (1), clause (b), rule 28, rule 29 or rule 30, sub-rule (1) by any Magistrate of a district in Burma without the previous sanction of the Commissioner.

(5) The consent or previous sanction referred to in this rule may be obtained either

- (a) by the applicant for the license, or
- (b) by the officer to whom application for the grant of such license is made.

(6) Where the consent or previous sanction is sought by the officer to whom application for the grant of the license is made, he shall send a copy of the proposed license to the authority whose consent or previous sanction is required; and, on receipt of the reply of such authority, he shall either grant the license or inform the applicant that his application is refused.

34. Particulars to be stated in applications. (1) Every person who wishes to obtain a license under these rules shall apply in writing to the nearest authority empowered to grant such license and shall in such application furnish all such particulars as may be necessary to enable such license to be granted.

(2) In particular and without prejudice to the generality of sub-rule (1) every application for a license—

- (a) for the import by land or river,
- (b) for the export, or
- (c) for the transport

of any arms, ammunition or military stores shall specify—

- (i) the place of destination,
- (ii) the route,
- (iii) the time likely to be occupied in the journey, and
- (iv) the quantity, description, average price and purpose of each kind of arms, ammunition or stores.

(3) Where the grant of the license requires the consent or previous sanction of some other authority specified in rule 33, the application shall state whether such consent or previous sanction has been obtained and, if so, shall be supported by evidence thereof.

35. Form and language of licenses. (1) Every license shall be granted or renewed and every pass shall be granted, in the appropriate form set forth in Schedule VII and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named, in the license shall alone be covered thereby,

(2) Every such license shall be written or printed—

- (a) where it is granted in a Presidency-town or in Rangoon or where it is granted in a district and is intended for use beyond the limits of such district, in English and, if the licensing officer so directs, in the vernacular, or

- (b) where it is granted in a district and is intended for use within the limits of such district, in English or in the vernacular as the licensing officer may direct.

36. Duration and renewal of licenses (1) Save as herein otherwise provided, every license under these rules shall, unless previously forfeited, be in force for such period and expire on such day as, subject to any restrictions or limitations imposed by the appropriate form set out in Schedule VII, the authority granting it may enter thereon.

(2) A license for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated on the license.

(3) Every license may, at its expiration and subject to the same conditions (if any) as to consent or previous sanctions, be renewed by the authority who granted it:

37. Discretion and control of authorities empowered to grant licenses. (1) Every authority empowered to grant or renew a license or to give his consent or previous sanction to such grant or renewal may, in his discretion, —

(a) refuse to grant or renew such license or to give such consent or sanction, or

(b) refer the application for orders to the Government (if any) to which he is subordinate.

(2) Every such authority shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

38. Obligation to produce licenses. (1) Any person who—

(a) holds a license granted or renewed or a pass granted under these rules, or

(b) is acting under colour of such a license or pass, shall forthwith produce such license or pass upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a police-station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a license to grant or renew it upon any condition, not inconsistent with the said sub-rule, with respect to the production of such license.

Fees.

39. Fees payable for licenses (1) Every license granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated on the appropriate form set forth in Schedule VII,

(2) where any arms, other than—

(a) cannon, or

(b) rifles falling within the prohibition contained in rule 8,

or any ammunition or military stores are imported under a license into any British port and re-exported thence and re-imported into any of the ports specified in rule 9 or in rule 10, the necessary licenses for such re-export under rule 16 and for such re-import under rule 9 or rule 10 shall be respectively chargeable with a fee of one rupee only.

(3) The Government of India may, by general or special order grant exemption from, or reduction of, the fee payable in respect of any license

No fee shall be charged in respect of the grant or renewal of a license in form VII for the export to a Native State of ammunition required for the use of a public railway or other public work.

(H. D. Notification No 1327, dated the 13th May 1910)

(4) The fee payable in respect of the grant or renewal of any license of the nature hereinafter referred to may, by general or special order of the local Government, be remitted or reduced :—

(a) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Local Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition,

(b) for the export to a Native State of ammunition required for the use of a public railway or other public work.

(c) under rule 11, to any person for the import of any arms, ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the license to be required in good faith for the protection of person or property.

(5) The fee payable in respect of the grant or renewal of any license in form VI may be remitted, subject to the conditions stated in each case, as follows namely :—

(a) Under the signature of a Secretary to the Government of Madras, Bombay or Bengal in respect of ammunition exported to a Native State for the use of a public railway or other public work.

- (b) by all Political Officers authorised to grant licenses in form VII, in the case of arms and ammunition exported for the personal use of persons of the classes mentioned in Schedule 1.

(6) The fee payable in respect of the grant or renewal of any license in form VII shall be remitted in the case of all licenses in that form issued by the Commissioner of Police in Madras or Bombay, the Deputy Commissioner of Police in Calcutta or by the District Magistrates of Meerut and Rawalpindi.

(7) The fee payable in respect of a license in form VII granted by the District Magistrate of Malabar for export to Mahé shall be reduced to one rupee in every case in which the value of the consignment does not exceed twenty rupees.

Applications of Native chiefs for licenses under the Indian Arms Act are exempt from fees, whether the arms or ammunition are required for personal use or for State purposes.

(Bom Govt. Resn. No. 981, dated the 8th Feb 1891).

The applications of Native chiefs (who dwell outside British India, but who purchase ammunition in British India and export it to their own territories) for licenses are exempted from the fees usually levied.

(For Dept. No. 448-I P, dated the 21st May 1881).

40. Fees payable for duplicates. Where a license granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such license may grant a duplicate—

- (a) where the original license was granted without the payment of any fee to a cultivator or other like person, free of all fee;
- (b) where such original license was granted on the payment of a fee not exceeding one rupee, on payment of a fee of the same amount, or
- (c) in any other case, on payment of a fee of one rupee.

41. Collection and refund of fees. (1) All fees payable under rule 39 or rule 40 shall be collected by impressed stamps.

(2). The Government may, by general or special order, direct in regard to any application for a license or duplicate in respect of which a fee is payable—

- (a) that the application shall be written upon an impressed stamp of a value equal to such fee and that in such case the license or duplicate shall be granted or renewed on plain paper or,
- (b) that the license shall be written upon an impressed stamp, to be supplied by the applicant, of a value equal to such fee, and that in such case, the application may be written on plain paper.

(3). Where a fee of not less than one rupee payable under these rules has been collected and the application for the grant or renewal of a license or

duplicate is refused, the value of the fee shall be refunded, upon application for the same being made within two months from the date of such refusal.

The Governor of Madras in Council directs that applications for licenses or duplicates of licenses in Forms XVI and XIX shall be written upon impressed stamps of value equal to the amount of fee leviable in respect of such licenses or duplicates, and that, in such cases, the licenses or duplicates shall be granted or renewed on plain paper. In the case of licenses in other forms, the license shall be written upon impressed stamps, to be supplied by the applicant, of value equal to such fee, and the application there for may be written on plain paper.

(Madras Govt. notification No. 173, dated the 4th March 1911.)

SCHEDULE I.—PERSONS EXEMPTED.—(Rule 3.)

1. The persons or classes of persons specified or described in the first column of the subjoined table are exempted in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

The Table.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(1). Every Maharaja, Raja, Nawab or Member of any Order of Knighthood and every person who—</p> <p>(a) holds the Kaisar-i-Hind Medal, or</p> <p>(b) bears a title conferred or recognised by the Government of India, or</p> <p>(c) holds a sword granted to him in Public Darbar under the orders of the local Government or the Commissioner in Sind, or</p> <p>(d) holds a certificate received on the occasion of the assumption of the title of Empress of India, by Her late Majesty Queen Victoria.</p> <p>(e) is exempted from personal appearance in a Civil Court.</p>	<p>All except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of .303 or 450 bore other than rifles of such bores lawfully imported into British India,</p> <p>and ammunition which can be fired from the same;</p> <p>(e) machinery for the manufacture of arms or ammunition,</p> <p>(f) appliances the object of which is the silencing of fire-arms.</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as—</p> <p>(a) the Government of India, or</p> <p>(b) a local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.</p>	<p>Those contained in sections 13 to 16.</p>
<p>(2). Every Member or ex-Member of the Legislative Council of the Governor-General, the Governor of Madras or Bombay, or the Lieutenant-Governor of Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma or Eastern Bengal and Assam.*</p>	Ditto	Ditto ...	Ditto.

Note.—Vide Bengal, Behar and Orissa and Assam Laws Act, VII of 1912.

SCHEDULE I.—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
<p>(3) Every Commissioned or Gazetted Officer of His Majesty's Military or Naval forces or of His Majesty's Indian Marine Service, every commissioned native officer of the Imperial Service Troops in active service, every member of the Imperial Cadet Corps, every warrant officer, non-commissioned officer, soldier or sailor in the service of His Majesty, every enrolled volunteer and such officers, of the Police (including officers subordinate to the Criminal Intelligence Department), Forest, Postal, Telegraph, Jail, Medical, Salt, Opium, Excise and Agricultural Departments, as the local Government may, by general or special order, direct ;</p>	<p>All except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same ; (e) machinery for the manufacture of arms or ammunition, (f) appliances the object of which is the silencing of fire arms.</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.</p>	<p>Those contained in sections 13 to 16.</p>

Provided that a native soldier while absent from his regiment on leave, shall be exempt only in respect of such arms and ammunition as may be covered by a pass granted to him by his commanding officer.

Explanation—The term "soldier" as used in this clause does not include a "reservist."

SCHEDULE I.—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(4) Every Justice of the Peace, every Deputy Collector, every officer salaried or honorary of the Judicial service of a rank not below that of a Magistrate of the third class, Munsif, or Judicial Myook, every gazetted officer of the Provincial Service of the Survey of India or of the Geological Survey and every Officer of the Public Works Department of a rank not below that of Assistant Engineer.</p> <p><i>Explanation</i>—In the Madras Presidency the word "Munsif" applies to "District Munsifs" appointed under the Madras Civil Courts Act, 1873.</p>	<p>All except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of .303 or .450 bore other than rifles of such bores lawfully imported into British India,</p> <p>and ammunition which can be fired from the same ;</p> <p>(e) machinery for the manufacture of arms or ammunition,</p> <p>(f) appliances the object of which is the silencing of fire-arms.</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as—</p> <p>(a) the Government of India, or</p> <p>(b) a local Government in respect of the territories administered by it or subject to its control,</p> <p>may declare to be reasonable for him to carry or possess.</p>	<p>Those contained in sections 13 to 16.</p>
<p>(5) Every native officer, warrant officer and non-commissioned officer retired from His Majesty's Indian Forces and every retired commissioned native officer of the Imperial Service Troops who—</p> <p>(a) is an receipt of a pension as such, or</p> <p>(b) not being in receipt of such a pension, has been recommended for exemption by his Commanding Officer by entry recorded on his discharge certificate, and such pensioned officers of the Civil Departments as the local Government may, by general or special order, direct.</p>	Ditto	Ditto	Ditto.
<p>(5-A) Every retired Indian Officer of the Supply and Transport Corps reserve.</p>	<p>The sword issued free to him by Government prior to his retirement</p>		<p>Those contained in Sections 13, 15 and 16.</p>

SCHEDULE I.—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(6) Every pensioned Gurkha officer, non-commissioned officer or soldier of His Majesty's Indian Forces residing in British India.	Kukris		All.
(7) Every revenue official and postal runner in any frontier or wild district where his superior departmental officer directs him to carry arms on duty.	Such arms as his superior departmental officer may direct him to carry.		Those contained in sections 15 to 16.
(8) Such subordinate officials of the Geological Survey of India as may from time to time be authorized by the Superintendent of the Geological Survey to possess or carry arms.	Such arms as the Superintendent of Geological Survey may direct him to possess or carry		Ditto.
(9) Every Consul, Consular Agent, duly accredited Vakil or Agent of any Native State in India.	All, except— (a) cannon (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of 303 or 450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition; (f) appliances the object of which is the silencing of fire-arms.	The arms or ammunition carried or carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.	Ditto.
(10) The holder for the time being of the office of Diwan of Idar in the Mahi Kanta Agency, or of Private Secretary to His Highness the Maharaja of Idar.			Ditto.
(11) Maharaja Deb Shamsher Jang, Rana Bahadur, ex-prime Minister of Nepal, residing at Mussoorie.	Ditto	Ditto	Ditto.
(12) General Khadga Shamsher Jang, Rana Bahadur, residing at Saugor.	Ditto	Ditto	Ditto.

SCHEDULE I.—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions, and directions.
(13) Every European or East Indian subject of His Majesty, every Armenian and every European or American who is not a natural born or naturalized subject of His Majesty, only so long as he is temporarily residing or travelling in India.	All, except— (a) caannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or 450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition, (f) appliances the object of which is the silencing of fire-arms.	In addition and without prejudice to the foregoing provision and restriction, any person possessing fire-arms in Burma without license in virtue of this exemption shall annually register them— (a) where they are possessed in Rangoon, in the office of the Commissioner of Police, and (b) in any other case in the office of the District Magistrate, on or before such date as the local Government may, by general or special order, direct. This exemption shall be subject to such conditions (if any) as may be prescribed by the local Government or the Political Agent, as the case may be.	Those contained in sections 13 to 16.
(14) Every ruling Prince or Chief, and such members of the families of high officials of a ruling Prince or Chief as the local Government or Political Agent may designate, on the occasions of his or their entering or residing in British India with his or their retinues, to such numbers as may in each case be settled by the Political Agent under the special or general orders of— (a) the Government of India, or (b) the local Governments in respect of Princes or Chiefs whose political relations are with those Governments, respectively, and all officials of such Princes or Chiefs passing through <u>British India</u> on duty.	Ditto		Ditto

SCHEDULE I. -- *The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provision and restrictions.	Prohibitions, and directions.
<p>(15) (a) Every landholder or member of a Municipal Board or Committee, being of approved loyalty and good position and designated in any list issued in this behalf by the local Government.</p> <p>(b) Every Malikana-holder in the Malabar district of the Madras Presidency.</p> <p>(c) Every person of Coorg race and every jumma tenure-holder in Coorg who, by his tenure, is liable to perform military or police duties.</p> <p>(d) Every person who holds fire-arms presented to him by the Government of Burma.</p>	<p>All, except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India,</p> <p>and ammunition which can be fired from the same,</p> <p>(e) machinery for the manufacture of arms or ammunition ;</p> <p>(f) appliances the object of which is the silencing of fire-arms.</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as—</p> <p>(a) the Government of India, or</p> <p>(b) a local Government in respect of the territories administered by it or subject to its control,</p> <p>may declare to be reasonable for him to carry or possess</p>	<p>Those contained in sections 13 to 16.</p>
<p>(16) Save in the Punjab, every head of a village, ghatwal, dighwar or other rural police officer.</p>	<p>Such arms as the local Government may notify to be necessary for the discharge of his police duties.</p>		Ditto
<p>(17) Every subject of the Baroda or Indore State, or of any State or jagir in the Bundelkhand Agency who may transport arms or ammunition across any part of British India from one part of the territory of such State to another part of the territory of the same State under a license granted by the Resident or Assistant Resident of Baroda, or Resident at Indore or the Political Agent or his Assistant, respectively.</p>	<p>Such arms or ammunition as may be covered by his license.</p>		Ditto

SCHEDULE I.—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>18 The following persons and their retainers, namely—</p> <p>(a) the ancient Zamindars and poligars of the Madras Presidency, and the Mahant of Tirupati, in the North Arcot district of the Madras Presidency;</p> <p>(b) the Dekkhan and Southern Mahratta Country Sardars, Sardars of Gujrat, such of the Mehwasi Chiefs of the Khandesh District, and such members of the Talpur family of Sind as the Government of Bombay may designate,</p> <p>(c) the great Zamindars of Bengal & Eastern Bengal and Assam;</p> <p>(d) the great Sardars and Jagirdars of the Punjab,</p> <p>(e) Shan Sawbwas and other native Chiefs in Burma;</p> <p>(f) the Zamindars of the Scheduled Districts of the Central Provinces,</p> <p>(g) Such nobles and high officials of the Baroda State as the Government of India may designate,</p> <p>(h) such nobles and high officials of the Hyderabad State as the Government of India may designate,</p> <p>(i) such officials of the Pargah Nobles and the larger Jagirdars of the Hyderabad State, as may be authorized by the Resident to carry arms when travelling on duty from one part of the territory to another part of the same territory,</p>	<p>All except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same,</p> <p>(e) machinery for the manufacture of arms or ammunition;</p> <p>(f) appliances the object of which is the silencing of fire-arms</p>	<p>This exemption shall be subject to such orders as the local Government may make regarding—</p> <p>(a) the persons to be included in this category, and</p> <p>(b) the number of retainers and arms and the quantity of ammunition to be permitted in each case,</p> <p>(c) the purposes for which such arms may be carried.</p>	<p>Those contained in sections 13 to 16.</p>

SCHEDULE I.—*The Table*—contd

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(19) (a)—The Oudh retainers of His Highness Raja Sir Jagatjit Singh, K.C.S.I., Bahadur, of Kapurthala, Raja-i-Rajagan.</p> <p>(b) The retainers of the following nobles in the United Provinces— Raja Mahendra Man Singh of Bhadawar Raja Rup Sah of Jagamanpur Raja Ram Singh, C.I.E., of Rampura. Raja Sardar Singh, Bahadur, of Katehra. His Highness Maharaja Sir Prabhu Narayan Singh, Bahadur, C.I.E., of Benares. Raja Uday Partab Singh, C.S.I., of Bhinga. Raja Balwant Singh, C.I.E., of Awa. Maharaja Sir Bhagwati Parshad Singh, K.O.I.E., of Balrampur. Raja Kishen Kumar of Sahaspur Bilari. Kunwar Rukmangad Singh of Katiari. Rajah Ram Partab Singh of Manda Maharani Jagdamba Devi of Ajudhya. Shahzada Basdeo Singh, residing in the Rae Bareilly District.</p> <p>(c) The retainers of— Raja Raghoji Rao of Deor in the Central Provinces, the Prince of Arcot.</p>	<p>All except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition; (f) appliances the object of which is the silencing of fire-arms.</p>	<p>This exemption shall be subject to such orders as the local Government may make, regarding— (a) the number of retainers and arms and the quantity of ammunition to be permitted in each case; (b) the purposes for which such arms may be carried.</p>	<p>Those contained in sections 13 to 16,</p>

SCHEDULE I—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(20) The undermentioned persons belonging to the Bhavnagar State Imperial Service Lancers while temporarily residing or travelling in British India—</p> <p>1 Kot Daffedar Hanubhai Ranchodji</p> <p>2 Daffedar Mangalsinh Sheoprasad</p> <p>3 Daffedar Kasalsinh Mulubha</p> <p>4 Farrier Jehangirkhan Chhotukhan</p> <p>5 Farrier Ismail Govind</p> <p>6 Farrier Shekh Abdulkhan Shekh Huson</p> <p>7 Sowar Ramprasad Matadin</p> <p>8 Sowar Kirpalsinh Badluesinh</p> <p>9 Sowar Jetubhai Kala</p> <p>10 Sowar Nathubhai Madarsinh</p>	<p>The swords of honour presented to them by His Highness the Thakorsahib of Bhavnagar in recognition of their services in South Africa during the late War.</p>	<p>1 Only one such rifle at a time shall be imported or used by any person hereby exempted.</p> <p>2 The rifle shall be sighted to a range of over 1000 yards.</p> <p>3. The rifle shall in the case of regimental officers, warrant officers, non-commissioned officers and enrolled Volunteers become part of the equipment of the Corps to which the owner for the time being belongs.</p> <p>4. The owner shall at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs, to the effect that, in the case of regimental officers, warrant officers, non-commissioned officers and enrolled volunteers, the weapon will be brought on to the equipment ledger of the Corps and in the case of Staff and departmental officers will be brought on to the equipment ledger of a Corps in the officer's command or office inventory of stores, and will be accounted for in the same manner as other equipment.</p> <p>5. This exemption shall in the case of enrolled volunteers cease to have effect on the owner leaving the Volunteer force.</p> <p>Provided that, if he departs from India immediately after so leaving, he may take the weapon with him.</p> <p>6. Any person hereby exempted may dispose of his rifle to another person so exempted, provided that the rifle becomes part of the equipment of the corps to which the latter belongs and is accounted for as such.</p>	<p>Those contained in section 15.</p>
<p>(21). Every British officer in Staff, departmental and regimental employ, every officer of the Native Indian Land forces holding a commission from His Majesty the King Emperor, every enrolled member of a Volunteer Corps and every Warrant Officer or Staff Sergeant of a British Unit of the Army (including a Staff Sergeant or Warrant Officer who is an instructor of a Volunteer Corps)</p>	<p>Single barrel rifles of 303 bore required for match-shooting purposes.</p>	<p>All</p>	<p>All</p>
<p><i>Explanation.</i> The term "commission" as used in this clause does not include a commission conferring honorary rank.</p>			

SCHEDULE I.—*The Table*—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(22) Any of the under-mentioned persons, not being members of trans-border tribes — (a) any Baluch belonging to any organised tuman while within the limits of the Dehra Ghazi Khan district of the Punjab. (b) armed guards accompanying sheep, goats, asses and cattle, under the provisions of the Frontier Grazing Regulation, 1874 (I of 1874) ; or (c) villagers residing in— (i) the North-West Frontier Province, or (ii) the Dera Ghazi Khan District or the Isakhel Tahsil of the Mianwali district of the Punjab, pursuing raiders or members of trans-border tribes or Baluchis who have committed or attempted to commit any offence in British India.	All arms, except, rifles, pistols, revolvers and daggers.		Those contained in section 13.
(23) Any of the persons described in sub-heads (b) and (c) (i) of entry (22).	All arms and ammunition, except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.		Those contained in sections 14 and 15.

(1) Facilities should be afforded to exempted persons, when proceeding with arms beyond the limits of their own province, for obtaining certificates of exemption from the authorities of the district to which they belong. Exempted persons cannot be obliged to provide themselves with such certificates, and the object of issuing them is to afford to them holders a ready means of proving their identity, if their right to carry arms should be challenged by the authorities of another province in which they may be unknown. It would still be open to persons claiming to have been exempted to prove fact of exemption, or to establish their identity, by any other means which they might choose to adopt, but certificates of exemption, if applied for by exempted persons, should invariably be given, either by the District Magistrate or by some other officer whom the Local Government might see fit to empower on this behalf.

(Home Dept. No. 963-975, dated the 12th July 1881.)

(2). While the object of adding the proviso in the third column of schedule I, was to give Local Governments general power of imposing restrictions, it was not intended to oblige them to define the number of arms which may be held to be reasonable in each case but only to give them the power to do so whenever it might be deemed necessary.

It is accordingly within the power of a Local Government in making an exemption to limit its application so as to include firearms, and where firearms are included, to specify not only their number but also their description.

(Home Dept. letter No 3079, dated the 19th November 1900).

(3). The addition of the words "sections 14, 15 and 16 of," in the last column of schedule I, leaves the exempted classes and persons free to possess arms and ammunition, to go armed and to transport arms and ammunition in reasonable quantities. But the exempted classes and personages will not be free to sell, to manufacture, or to transport arms and ammunition without a license, save in so far as they are authorized to transport arms, etc., under the present rule 20.

(Home Dept. O. M. No. 519-528, dated the 6th March 1879).

(4). Clause (1) The exemption under clause (1) (b) does not extend to Khan Sahib Makhdum Karam Hussain of Rangpur, Muzaffargarh District.

(Home Dept. Notification No 5204, dated the 4th November 1910)

The exemptions under clause (1) (c) do not extend to Pirbaksh *walad* Khan Mahomed Shar of Kashmir taluka in the Upper Sind Frontier District, and to Kazi Fazal Allah of Tata.

(Home Dept. Notns. No. 3423 dated 1st July 1910 and No. 2071, dated the 29th April 1908).

(5) Clause (3)—Definitions —(Vide Indian Army Act, VIII of 1911, Page 11).

(1) "British Officer" means a person holding a commission in His Majesty's land forces.

(2) "Native Officer" means a person commissioned, gazetted or in pay as an officer holding a Native rank in His Majesty's Indian forces.

(3) "Warrant Officer" means a person appointed, gazetted or in pay as a Native Warrant Officer in His Majesty's Indian force.

(4) "Non-commissioned officer" means a person attested under this Act holding a Native non-commissioned rank in His Majesty's Indian forces, and includes an acting non-commissioned officer.

(5) "Officer" means a British Officer or Native Officer, but does not include a warrant officer or non-commissioned officer.

(6) "Commanding Officer" where used in any provision of this (Army) Act with reference to any separate portion of His Majesty's forces or to any department, means the British Officer whose duty it is under the regulations of the Army, or, in the absence of any such regulation, by the custom of the service to discharge with respect to that portion of the force or that department the functions of commanding officer in regard to matters of the description referred to in that provision.

(6) A native of India holding the honorary rank of Lieutenant in the Indian Army is included within the term Military forces.

(Home Dept. letter No. 2064, dated the 7th June 1905).

(7) The Government of India have been pleased to approve of native officers retaining fusils and smooth-bore weapons purchased from the Ordnance Department, which, under the regulations hitherto in force, were required to be returned when no longer needed for personal use or when leaving India.

(Army Dept. No. 429 B, dated 11th February 1906).

(8) PARAS. 686—693, ARMY REGULATIONS, INDIA, VOL. II.

Private arms of native troops.

686. An Indian Officer of the Indian army is allowed, without a license or pass, from his C. O., to carry or possess, for his personal use arms and ammunition to the extent and under the restrictions prescribed in schedule I of the Indian Arms Rules, 1909.

An Indian soldier is allowed without a license, to carry or possess for his personal use —

- one gun or pistol ;
- one sword, dagger or knife ;

twenty cartridges or an equivalent quantity of powder, bullets or shot, and caps, subject to the following restrictions :—

- (a) he must be of good character ;
- (b) the fire-arm shall not be of a class superior to that of the fire-arms in use in the native army, nor a rifle of 303" bore, nor a rifle of 450" bore imported subsequently to the 11th September 1906, and ball ammunition may not be possessed which can be fired from a 303" rifle ;
- (c) the possession of any arms or ammunition, to which these rules apply must be immediately reported, and their description entered in the private arms register to be maintained by each unit, extracts from which must be sent with the man's documents when transferred to another unit. Such arms and ammunition must be lodged in the armoury while the soldier is with his unit ;
- (d) he shall immediately report to his superior officer the loss of any such arms or ammunition ;
- (e) when proceeding on furlough, he shall obtain a pass from his O. C. which he must produce on his return, together with the arms to which it relates, to the O. C. who will satisfy himself that the arms have not been changed. Failure to produce the arm and pass will be punished by the deprivation of a pass for one year, which should be communicated to the Magistrate or Political officer concerned for necessary action. If a soldier so absent, is found in possession of arms and ammunition not covered by such a pass, he will be made over to the military authorities for trial. A pass shall not be required for the regimental sword of an Indian officer, or mounted soldier proceeding on furlough, if permission to carry it is entered on his furlough certificate.

687 An Indian officer or soldier shall not purchase arms unless—

- (i) he has been furnished by competent authority with a written permission specifying the period of which it is valid,
- (ii) the arms are purchased from a person entitled under the Indian Arms Act, 1878 (XI of 1878), to possess or to sell arms, and
- (iii) the arms so purchased by him and the arms already possessed by him do not exceed the amounts authorised by these rules.

Note.—Competent authority in the case of a native officer or soldier is his commanding officer and in the case of a reservist, the officer commanding the reserve centre.

(G. G. O. Army Dept No. 1244 B., dated the 5th December 1906).

688 An Indian officer or soldier shall not, unless authorised by competent authority, give or otherwise transfer any rifle, to which these rules apply, to any native whose home is situated near or beyond the N-W frontier.

689. Every pass shall be granted by the O. C. who shall not delegate his authority. It shall contain—

- (a) a full description of the arms with a record of their distinctive marks, and ammunition authorised by the pass,
- (b) the parentage, religion, class, tribe and home of the holder of the pass ;
- (c) a pass shall not be granted to an applicant whose home is situated beyond the N-W frontier, unless he shall have obtained from his clansmen in the regiment and deposited security to the full trans-frontier value, for the return of any fire-arm which it is proposed to take away. The Bde. Comdr. shall decide what is the full trans-frontier value of any fire-arm.

690. Whenever an Indian soldier, at the time of his being transferred to the Reserve, wishes as a Reservist to possess arms and ammunition for his personal use, the magistrate of the district in which he resides, will grant him a license free of license fee, provided that the application therefor is submitted through, and is recommended by, the Officer Commanding the applicant's late regiment or battery.

In the case of an Indian Reservist applying for a license at any time after joining the Reserve, the magistrate of the district will grant the license, free of license fee, on the recommendation of the Officer Commanding the Reserve Centre to which the Reservist is attached.

In all cases licenses will be renewed, free of license fee, on the recommendation of the Officer Commanding the Reserve Centre.

Should a magistrate not feel justified in issuing a license to a Reservist, or in renewing a Reservist's license his decision, will be communicated to the officer through whom the application was submitted, for such action as the latter may wish to take.

Offences under the Arms Act and Rules committed by reservists will be dealt with in the ordinary manner under that Act by the magistracy.

Every soldier before transfer to the reserve, and every reservist before returning home after training, shall be warned by his O. O. that he must report the loss or theft of any arms covered by his license to the nearest police station, as required by the conditions printed on the license form.

691. Where a fire-arm for which security has been deposited and a pass granted, is not returned, the security shall be forfeited and the clansmen of the defaulter shall for such period not exceeding two years, as the O. O. may fix, be precluded from taking fire-arms on furlough. All such cases shall be immediately reported to the Divl. Comdr.

692. The magistrate or political officers of the district in which the pass-holder intends to reside shall be forthwith informed of the issue of a pass by the O. O. the corps in the case of a soldier proceeding on furlough. When passes are cancelled or withdrawn the magistrate or political officer concerned must be so informed.

693. Officers, soldiers and reservists on leaving the army, cannot be granted passes under these regulations, and any passes in their possession must be withdrawn from them. A retired officer who is in receipt of a pension as such, or who not being in receipt of such a pension, is, on leaving the service under creditable circumstances, exempted by his O. O. by entry recorded on his discharge certificate (I. A. F. Y. 1949), alone continues exempt from the provisions of sections 13 to 16 of the Indian Arms Act, 1878, to the same extent as when in the Army. A soldier possessing at the time of discharge, a weapon requiring a license under the Indian Arms Act, shall be warned, if his home is situated within the limits of British India, that he must obtain, through his O. O., a license from the magistrate of the district where he proposes to reside and if his home is situated beyond those limits, that he must obtain through his O. O., an export license from the Foreign Department. No export license will be granted to a trans-border tribes-man except for arms certified by his O. O. to have been brought by him from his home on enrolment.

(9) The Government of India have ruled that a native soldier on leave is restricted to the maximum quantity of arms and ammunition prescribed by Army Regulations, India, Volume II, paragraph 686. If the quantity covered by the pass granted by his commanding officer is less than the prescribed maximum, a native soldier on leave may only purchase, and dealers may only sell to him, additional arms and ammunition up to that maximum and then only with the written permission of his commanding officer. No license will be granted to a native soldier, by the magistrate or other authority invested with the power to license, for any other arms or ammunition.

(I. A. O. No. 92, dated the 14th Feb 1910)

(10) In order to provide for closer control over the possession of arms by such soldiers on leave, the Government of India have decided to modify the rules under the Arms Act by the addition of a proviso to paragraph I, clause (3), to the effect that a native soldier, while absent from his regiment on leave, shall be exempt only in respect of such arms and ammunition as may be covered by the pass granted to him by his Commanding Officer. If a soldier, so absent, is found to be in possession of arms and ammunition not covered by such a pass, he should be made over to the military authorities to be dealt with under the military law, instead of being prosecuted under the provision of the Indian Arms Act.

3. So far as native reservists are concerned, the Government of India have decided to exclude them altogether from the benefits of the exemption enjoyed by them under the orders contained in the Home Department letter No. 758, dated the 3rd June 1903. * * * In future whenever a native soldier, on joining the reserve, wishes to possess arms and ammunition for his personal use he should obtain a license, which should be issued and renewed free of license fee, by the magistrate of the district in which he resides. The application for the initial grant of the license should be submitted through the reservist's late Commanding Officer, who should endorse thereon his recommendation as to whether the license should be granted or refused. In the event of a magistrate not feeling justified in issuing a license to a reservist, he should communicate his decision, with his reasons, to the Commanding Officer, for such action as the latter officer may wish to take. Offences under the Arms Act and Rules committed by reservists of the native army will be dealt with in the ordinary manner under that Act by the magistracy. These orders should be held to be applicable in the case of reservists who are already in possession of arms on the authority of the passes issued by their respective Commanding Officers, and who will now receive letters of recommendation for the grant of license by the District Magistrates in whose jurisdiction they are residing.

(Home Dept. letter No. 781, dated the 26th February 1909).

(11). A reservist should be required to obtain a license in form XIX, under Rule 30, if he goes with his arms beyond the area for which his license is valid under rule 27 (1) and (3). No fee should be realised from reservists for a license in form XIX.

(Home Dept. No. 571, dated the 10th March 1911.)

(12). In connection with the orders conveyed in the Home Department letter No 781 dated the 26th February 1909, questions have been raised as to (1) whether it is the intention that a native soldier on leave should not be eligible to obtain a license for arms and ammunition in respect of which he is not exempt; (2) whether the pass to be granted by the Commanding Officer would relate only to arms and ammunition which the soldier possessed at the time when he went on leave, or whether it would extend to arms and ammunition which he might subsequently purchase, and (3) whether dealers will be at liberty to sell arms and ammunition up to the amount covered by such a pass.

2. With reference to the first question, I am to invite attention to paragraphs 686-693 of the Army Regulations, India, Volume, II, and to explain that although there is nothing in the Arms Act and Rules to render a native soldier on leave ineligible for a license for arms and ammunition other than those covered by the pass granted by his Commanding Officer, yet since the possession or obtaining of such arms constitutes a breach of the Army regulations quoted, it is desirable that such applications for license should invariably be refused by District Magistrates and other authorities invested with the power to license. I am to request that all licensing authorities may be instructed in this sense.

3. As regards the second question, I am to say that the Commanding Officer's pass is intended to cover only those arms which were in the soldier's possession at the time of his quitting his regiment on leave and that the pass does not cover arms purchased subsequently. That this is the intention is clear from paragraph 686 (e) of the Army Regulations, India Volume II, which requires the Officer Commanding to satisfy himself, on the soldier's return from leave, that the arms covered by the pass have not been changed. Under Army Regulations, India, Volume, II, paragraphs, 686, 687, (i) and (iii), a soldier is restricted to a certain maximum quantity of arms and ammunition, and if the quantity covered by the pass granted by his Commanding Officer on his proceeding on leave is less than that the prescribed maximum, he may only purchase additional arms and ammunition up to that maximum with the written permission of "competent authority," i.e., his Commanding Officer. From this it follows that the reply to the third question is that dealers cannot sell arms or ammunition to native soldiers on the strength of the Commanding Officer's pass up to the quantity specified therein unless a special authorisation is produced for each such purchase.

(Home Dept letter No. 3531-3502, dated the 29th September 1900)

(13) Volunteers like other privileged persons, are exempted from the operation of the prohibition and directions contained in section 13 to 16 of the Arms Act, because Government places confidence in them, and not with reference to the arms which as Volunteers they must have and which are protected by section I (b) of the Act. Individuals, who commit breaches of the rules by having in their possession a larger number of arms than is allowed by the orders of the Bombay Government under rule I (3), [clause (3) of Schedule I] or who infringe the provision of section 21 of the Act by delivering arms into the possession of any person without previously ascertaining that he is legally entitled to possess them render themselves liable to punishment.

(Home Dept letter No 1063, dated the 12th July 1895)

(14). Clauses (3) and (5) —The following class of officers are exempt.—

Madras—

- a. Superintendent of Jails and Jailors
- b. All police officers of and above the rank of Police Sub-Inspector.
- c. Superintendents, Inspectors of Post offices and Mail overseers.
- d. All Gazetted officers of the Forest Department, Forest Rangers and Foresters.
- e. All Assistant Commissioners, Inspectors of the Salt and Abkari Department.

(G O. No. 2014, dated the 26th October 1892)

This order lays down also the classes of officers who are required to carry arms for the performance of their duty within the meaning of section I (b) of the Indian Arms Act and the occasions or kinds of duty at which such carrying of arms is necessary.

The officers thus authorized and the occasions when the carrying of arms is permissible, are.—

- a. Deputy Jailors and Warders of all grades in the Jail Department when on actual duty.
- b. Head Constables and Constables in the Police Department, when escorting

prisoners or treasure, when any serious breach of the peace occurs or is anticipated, and when they visit villages on beat duty at night or patrol high roads. **Ghat Talukas.**—When they assist the regular police in guarding road and hill passes.

- c. Sub-Inspectors, petty officers and peons in the Salt and Abkari Department, while—
 - i. Forming part of a treasure escort.
 - ii. On preventive duty, and when they apprehend any resistance (with the previous order in writing of the Inspector of the Circle)
- d. Petty officers and peons in the Salt and Abkari Department while on treasury, platform or line guard duty.
- e. And all Civil pensioners who, when in service, were exempt (Madras Govt. Notns. Nos 432, dated the 26th October 1892, 53 dated the 31st June 1893, 1774, dated the 14th Oct. 1907 and No 521, dated the 8th Novr. 1906)

Bengal —

- (1). All officers of the Northern India Salt Revenue Department of and above the rank of an Inspector serving in the Administration of the Government, of Bengal,
- (2). All Salt officers employed under the Lieutenant-Governor of Bengal, (This clause was substituted for the original clause (2), by notification No. 1557 J. D. dated 22nd June, 1909)
- (3). All Excise Officers actually drawing Rs. 100 or upwards, per mensem
- (4). All pensioned officers of the above departments who were exempt before retirement

(Notification No. 3030, dated the 16th November 1900)

The following officers of the Police, Forest, Postal and Jail Departments.

Police Dept —Police Officers of and above the rank of Sub-Inspector.

Forest Dept.—Forest Rangers and Officers of superior rank.

Postal Dept —All Superintendents of Post Office, and officers of higher rank and all Post Masters, Deputy Post Masters, Assistant Post Masters whose minimum pay is not less than Rs. 100 per mensem.

Jail Dept —Officers of and above the rank of jailor.

Following pensioned officers —

Police Dept —Inspectors of Police and officers of higher rank

Forest Dept —Extra-Assistant Conservators of Forests and officers of higher rank

Following officers in respect of such arms as they carry for protection in the execution of their duty .—

Police Dept —Police Officers below the rank of Sub-Inspectors.

Forest Dept.—Forest guards, Foresters and Forest Rangers

(Notification Nos. 211 and 212 P. dated the 14th June 1908)

United Provinces .—

All native Gazetted Officers of the Opium and Telegraph Departments ,

All Police Officers above the rank of Head Constable, 1st grade ;

All Forest Officers of and above the rank of Ranger ;

All Gazetted Post Office officials ;

All Darogahs of the Jail Department, and

All Officers of the Northern India Salt Department of and above the rank of Inspector. (G O Nos 1511, dated the 2nd June 1891, 2147, dated the 27th July 1891, 2329, dated the 14th Augt 1891, 1418, dated the 1st June 1893, and 471, dated the 28th Feb 1893)

All Assistant Commissioners of Excise and Excise Inspectors, (G O No 3055, dated the 30th September 1908).

Indian officers holding the appointment of Civil Surgeons

(G. O No 441 dated the 9th February 1909).

The term "Assistant Engineers" in clause (4) includes "Honorary Assistant Engineers." (G O No. 3022 dated the 12th Oct. 1907).

Honorary Munsifs are exempt under clause (4)

(G. O. No. 2974 dated the 20th Sept. 1905).

Postal employees who are authorised by, or under the authority of, the Post Master General to carry arms when on duty are covered by section 1 (b) of the Arms Act, and are exempt from the necessity to take out licenses for such arms.

The Post Master General will furnish the Magistrate of each district, with a list of the postal employees in the district whom he has authorised to carry arms in the course of their

duty, or of offices the incumbents of which are so authorised. He will also specify in the list the weapons authorised in each case, and the circle within which it may be carried.

(G. O. No 3389, dated the 23rd November 1896).

All pensioned officers of the Opium, Telegraph, Northern Indian Salt Revenue and other Civil Departments who were exempt before retirement ;

also all pensioned officers of the Forest Department above the rank of Ranger.

(G. O. No 1511, dated the 2nd June, No. 2329, dated the 14th August 1891 and No. 1418 dated the 1st June 1893)

A Military Hospital Assistant is exempt after retirement

(G. O. No. 213 dated the 28th June 1900.)

Punjab —

The following officers of the Police, Forest, Postal, Telegraph, Jail, Medical, Salt, Opium and Excise Departments.

*Police Department	...	All Inspectors and Sub-Inspectors of Police.
Forest	"	Forest Rangers and officers of superior rank
Postal	"	All Superintendents of Post Offices, Post Master, Deputy Post Masters and Assistant Post Masters whose appointments are notified by the Director General of Post Offices in the <i>Gazette of India</i> and such other Postal officials as may from time to time be specified by the Post Master General, Punjab, by order in writing on this behalf
Telegraph	"	Officers of and above the rank of Telegraph Masters
Jail	"	All Jailors, Deputy Jailors and 1st grade Assistant Jailors.
Medical	...	All Officers holding the appointment of Civil Surgeon.
Salt	...	Officers of and above the rank of Inspector.
Excise	..	Inspectors and Sub-Inspectors.

(G. O. No 1680 dated the 24th October 1910.)

All pensioned officers of the Civil Department who when employed, were exempt from certain prohibitions and restrictions contained in the Indian Arms Act under the notification of the Punjab Government, No 1639, dated 20th November 1909, or would have been so exempt had that notification been in force during their active service, shall continue to be exempt to the same extent as they were before retirement

(Notification Nos. 1639 and 1640 dated the 20th November 1909).

All pensioned Excise Darogahs shall be exempt to the extent permitted by the Schedule referred to above.

(Notification No. 1816 dated the 24th October 1910).

*NOTE —Each District Superintendent of Police shall maintain a list of arms held without a license by the Inspectors and Deputy Inspectors serving under his orders.

(Punjab Police Rules.)

An officer of the Civil Department whose exemption was published in notification No. 1640, dated 20th November 1909 shall not possess or carry arms or ammunition in excess of the quantity covered by a written pass or permit signed his superior officer *

* In the case of Police Department		Superintendent of Police
" Forest	"	Deputy Conservator of Forests.
" Postal	"	Superintendent of Circle.
" Telegraph	"	"
" Jail	"	Superintendent of Jail.
" (a)	"	"
" Salt	"	Assistant Commissioner, Northern Indian Salt Revenue.
" Excise	"	Deputy Commissioners or higher departmental officials.

(a) Note—Medical officers holding the rank of Civil Surgeons are exempt.

(Notification No. 40, dated the 9th January 1911).

A pensioner whose exemption was published in notification No. 1640, dated the 20th November 1909, shall not possess or carry arms or ammunition in excess of the quantity covered by a written pass or permit signed by the Deputy Commissioner of the District in which he resides,

(G. O. No. 1680, dated the 24th October 1910.)

North-West Frontier Provinces.**Police Department.**—All Inspector and Sub-Inspectors of Police.**Forest Department.**—Forest Rangers and officers of superior rank.**Postal Department.**—All Superintendents of Post Offices, Post Masters, Deputy Post Masters and Assistant Post Masters, whose appointments are notified by the Director General of Post Offices in the *Gazette of India* and, such other postal officials as may from time to time be specified by the Post Masters General, Punjab N. W. F. Province by order in writing on this behalf.**Telegraph Department.**—Officers of and above the rank of Telegraph Masters.**Jail Department.**—All Jailors, Deputy Jailors and 1st grade Assistant Jailors.**Medical Department.**—All Officers holding the appointment of Civil Surgeon.**Salt Department.**—Officers of and above the rank of Inspector.**Excise Department.**—All Excise Daroghas.

(Notification No. 25, dated the 1st April 1910)

All pensioned officers of the Civil Department who, when employed, were exempt under Notification No. 25, dated 1st April 1910, or would have been so exempt had that notification been in force during their active service, shall continue to be exempt to the same extent as they were before retirement.

(Notification No. 26, dated the 1st April 1910)

Central Provinces :—

1. All Police Officers not below the rank of Head Constable.
2. All Jail Officers not below the rank of Jailor.
3. All Excise Officers not below the rank of Inspector
- 4 (a) Officers of the Forest Department not below the rank of Deputy Ranger
(b) Foresters, Forest Muharrir, and Forest Guards (in respect of swords),
- 5 The following officers of the Postal Department, viz —
(a). Superintendents of Post Offices.
(b). Inspectors of Post Offices.
(c). Mail Overseers, Camp peons of Deputy Post Masters General and Superintendents of Post Offices, village Postmen and Chaudidars (in respect of swords).

In accordance with the suggestion from the Deputy Post Master General, the Chief Commissioner has not exempted mail peons and mail overseers. But the Deputy Commissioners will grant licenses free of charge to any of these officials on whose behalf the Deputy Post Master General may apply.

If any individual of class (c) requires more than a sword, the Deputy Post Master General may apply to the Deputy Commissioner of the District for a license for what may seem to him necessary, and the Deputy Commissioner concerned will give it free of cost)

(Notus. No 3086, dated 4th July 1891 and No. 6931, dated the 20th July 1901)

Coorg - Forest officers of and above the rank of Rangers

(Notification No. 25 dated the 1st November 1897)

(15) Clause (5).—The words "all pensioned officers of the native army" include Non-Commissioned Officers of the Native Army, and pensioned officers of the Imperial Service Troops.

(Home Dept. letter No 1779, dated the 4th November 1881).

(16). A pensioned Army Hospital Assistant and a pensioned Dafadar of a Bengal Cavalry are exempt within the meaning of clause (5)

(Home Dept. letters No. 1502, dated the 6th June 1900 and

No 1225, dated the 3rd March 1901)

(17) Indian officers holding the appointment of Civil Surgeon, who are not members of the Indian Medical Service are also exempt under this clause

(U P. No. 441-VI-261, dated the 9th February 1909).

(18). Clause (13).—The words "and Europeans" have been added after the words "Americans" as it seemed right that Europeans travelling in India should be exempted just as Americans are.

(Home Dept. O. M. No. 17,519,528, dated the 6th March 1879).

(19). Indo-Portuguese as a class are not East Indians within the meaning of this clause.

(Home Dept. letters No. 140, dated 29th Jan. 1884 and No. 778, dated 23rd April 1891).

(20). In order to determine in what cases Americans and Europeans not being British born subjects of His Majesty, should be held to be exempted persons, the Government of India have decided that all Americans and Europeans who are not natural born or naturalized

subjects of His Majesty are exempted persons only so long as they are temporarily residing or temporarily travelling in India but they cease to be exempted when they have settled in India or have no intention of leaving India.

(Home Dept letter No 122, dated the 13th January 1908).

The Government of India have ruled that all Europeans who have not adopted an Indian domicile are entitled to be benefit of the exemption granted by clause (13) of Schedule I and that a person who is exempted, under clause (3) in his capacity as a volunteer does not forfeit that exemption by reason of the fact that he may not be eligible for exemption under the provisions of clause (13),

(Home Dept. letter No. 606-614, dated the 13th February 1900)

(21). In Burma the term "East-Indian subject" has been held to include any person who fulfils the following conditions :—

(i) One of his parents must be either a European or a person of mixed Indo-European descent. By "European" is meant either a person domiciled in Europe or a person domiciled elsewhere than in Europe but descended from persons whose domicile was in Europe, and

(ii) He must hold to European modes of life and dress

By this definition persons whose European ancestors are remote and who have taken to native habits, are excluded from the privilege of exemption.

(Burma Govt Circular No 27 dated the 12th April 1910)

(22) The exemption under this clause does not extend to :—

Mr F Earle and Mr. T Angelo in the United Provinces

George Snamons, a Permanent Way Inspector of G. I. P. Railway

W Gurruck, an employe of the B. I. S. Navigation Coy., Bombay.

Thomas James Kinsley, his wife Florence Kinsley and Florence Kinsley's brother

H. S. F. Ray, all of Ballyganj, Calcutta.

Hector Gama wine merchant, Bombay.

P. Kennis of Mazagon, Bombay

(Home Dept No. 2314 of the 16th Oct. 1904, No. 1320 of the 8th June 1906, No 934 dated the 7th May 1910, No 983 dated the 7th May 1910, No 5972 dated the 21st Oct. 1910, No. 1058 dated the 10th May 1911 and 1179 dated the 4th Sep. 1911)

(23). Clause 14 Words have been added to provide that in the case of Ruling Chiefs entering British India, the Political Officer shall, subject to such instructions as he may receive, settle the number of armed retainers that may travel with their masters in British India

(Home Dept. O. M. No 17-519-528, dated the 6th March 1879).

(24). In the case of subjects of Native States the Political Officer concerned shall decide as to what persons are entitled to the benefit of the exemption under this clause

(For. Dept. Nos. 2962-I, dated 4th Aug. 1904 and 2724-I, dated 17th July 1884).

(25) Clause (15) (a) —The members of the Mercara Municipal Committee and the *res* President of the Virajendrapet Municipal Committee for the time being are exempt provided that except where otherwise expressly stated, the arms or ammunition carried or, possessed by such persons shall be for their own personal use and the latter shall not exceed the following quantities which the Chief Commissioner is pleased to declare to be reasonable for them to carry or possess —

a. Black powder to an amount not exceeding 20lbs or Schultz's or sporting powder other than black to an amount not exceeding 10lbs.

b. Loaded cartridges or empty cartridge cases not exceeding 500 in number, with the necessary implements for loading, etc ;

c. Percussion caps not exceeding 2,000 in number, and

d. Shots, bullets, flints and wads in such quantities as are ordinarily required for sporting purposes.

Provided that there shall not be kept in the same house or premises more than the quantities herein specified.

(Notification No. 21, dated the 24th June 1899).

(26). Clause (15) (c) —The following are the descriptions and quantities of a ammunition which persons of Coorg race and Jamma tenure holders liable by their tenures for police and military duties, are permitted to possess for their private use. —

Note.—The quantities specified are identical with those proscribed in Notification, No. 21, dated 24th June 1899 *supra*. (*Vide note No (25) above*)

(Notification No. 29, dated 10th November 1897).

(27). Clause (16) — Throughout the territories subject to the Government of Bombay other than Sind, Aden and Perim, swords are the arms necessary to the village police for the performance of their duties, in respect of which they are exempted from the operation of all prohibitions and directions contained in sections 13, 14, 15, and 16 of the Indian Arms Act, 1878

(Bombay Govt Noth No 4568, dated the 8th August 1887).

(28) Thokdars in the Kumaon Division are exempt in respect of one mazzle loading gun and one sword only

(G. O. No. 2623, dated the 10th August 1900).

(29). Every village head-man appointed under the rules published under the U. P. notification No 240, dated the 19th January 1893, is exempt within the limits of the districts of which he is a resident from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act in respect of a sword.

As a general rule village head-men should not be permitted to carry the swords in respect of which they have been exempted beyond the limits of their own districts. There is no objection, however, to extending the privilege of carrying a sword beyond the limits of his own district to the case of any specially deserving head man; and Commissioners are at liberty to authorize Magistrates to issue licenses for such purpose in selected cases. The license, if countersigned by the Commissioner, will then cover the possession of a sword by the head-man in any district in those provinces

Village head men of good position or meritorious service may be considered as having a claim to be allowed a gun-license superior to the claims of other residents in the villages

(G. O. Nos. 3576 and 3580-3583, dated the 19th October 1900.)

(30). Clause 18.—The exemption under this clause does not extend to —

M R Ry S. K. Ramasami Kamayya Naikar Avelal in the Madras Presidency
(Home Dept. Notification No. 1310, dated the 8th June 1906)

(31). The term retainers may be held to include superior officials in the employ of exempted Zemindars, and District Magistrates can extend to Revenue officials (not Magistrates) where necessary for the requirements of the service, the exemption granted to Magistrates by clause (4). Retainers of Native Chiefs or exempted persons however should not be armed with rifles

(Madras G. O. No. 1067, Mis, dated the 23rd June 1890)

With reference to note (2) the following orders have been issued by certain local Governments

BOMBAY.

(32) In exercise of the powers conferred on the Local Government by items Nos (1) (c), (3) (4), (16) and (18) (b) of the table subjoined to Schedule I appended to the Indian Arms Rules, 1909, and in supersession of all previous orders on the subject, the Governor in Council, is pleased to declare that the persons or classes of persons, specified in the third column of the table hereto appended, who have been exempted by the Governor-General in Council or are hereby declared to be exempted by inclusion in the third column of the table hereto appended, shall, in respect of the arms which they can carry or possess within the limits of the Bombay Presidency, be subject to the restrictions specified in the fourth column of the table hereto appended —

Provided that—

- (i) such restrictions shall be inapplicable to persons who are exempted under any other item of the table subjoined to the Schedule, to the extent to which they are so exempted;
- (ii) any person to whom two or more entries of the table appended hereto apply may elect under which of the entries applicable to him his privileges shall be restricted;
- (iii) any person exempted under item 1 (c) of the table subjoined to the said Schedule may possess such sword in addition to any other weapon in respect of which he may be entitled to exemption.

The table above referred to.

Serial No.	Item in table subjoined to Schedule I of Indian Arms Rules.	Persons or classes of persons exempted.	Quantity of arms to which exemption is restricted.
1	2	3	4
1	1 (c)	Every person who holds a sword granted to him in public Darbar under orders of the Local Government or the Commissioner in Sind.	The sword so presented.
	3	<i>Police Department.</i>	
2		Officers above the rank of Deputy Superintendents of Police	No restriction.
3		Deputy Superintendent of Police ..	One gun, one rifle, one sword and one revolver *
4		Any officer below the rank of Deputy Superintendent of Police, but of and above the rank of Sub-Inspector, and in Bombay City, any officer of and above the rank of first class jamadar.	One gun and one sword.
		<i>Forest Department.</i>	
5		Officers above the grade of extra Assistant Conservator	No restriction.
6		Superior forest officers of the grade of extra Assistant Conservator.	One gun, one rifle and one sword
7		Forest officers below the grade of extra Assistant Conservators, but on Rs 20 or over per mensem.	One gun, one rifle and one sword.
8		All other subordinate forest officers on less than Rs 20 a month	Such arms as they may be authorised to carry by the Conservator under the orders of Government.
		<i>Postal Department.</i>	
9		Superintendents of post offices and officers of higher rank, and postmasters, deputy and assistant postmasters whose maximum pay is not less than Rs. 200 a month.	One gun and one revolver.
10		Inspectors of post Offices ...	One gun and one sword.
		<i>Telegraph Department.</i>	
11		All gazetted officers ...	One gun, one sword and one revolver.
12		Sub-Inspectors, line riders, linemen and peons of the Dehra Ismail Khan and Quetta sub divisions (when travelling on duty).	One rifle, one pistol or one sword, according to the direction of the Divisional Officer, their immediate superior, and subject to the regulations prescribed by the Director General of Telegraphs.

* A Deputy Superintendent of Police may possess a revolver only with the previous permission of the Inspector General of Police.

Serial No.	Item in table sub-joined to Schedule I of Indian Arms Rules	Persons or classes of persons exempted	Quantity of arms to which exemption is restricted
1	2	3	4
13	3	Jail Department. Superintendents and Jailors in charge of central or district jails	One gun, one revolver and one sword.
14		Medical Department. Native officers holding the appointment of Civil Surgeons or Deputy Sanitary Commissioners who are not members of the Indian Medical Service, Assistant Surgeons and Sub-Assistant Surgeons.	One gun and one sword.
15		Salt, Opium and Excise Departments.	
16		Officers of and above the rank of Assistant Collectors.	No restriction
17		The Special Officer, Cambay ...	One gun and one sword.
18		All sar karkuns in charge of custom-houses and salt works.	Do.
19		All preventive officers and darogas on Rs 60 and upwards.	Do.
20		All Inspectors of the Northern Frontier Preventive Force and of the Coast Guard Service.	Do.
21		The Inspectors on Goa and Daman Frontiers	Do
22		Inspector and Sub-Inspectors in the Excise Department. The Native Assistant to the Collector of Salt Revenue, Bombay.	Do, Do.
23		Agricultural Department	
24		Officers above the rank of extra Deputy Directors	No restriction.
25		Extra Deputy Director ... Farm Superintendents and one such member of the staff subordinate to them as may be authorised by Director of Agriculture.	One gun or one rifle and one sword. One gun or one rifle, if authorised by Director of Agriculture.
26		Military Department. Commissioned or gazetted Native officers of His Majesty's Indian Forces, including the Imperial Service Troops.	One gun or revolver, one sword, dagger or knife.
27		Non-commissioned officers and men of the Native Army.	Do.

Serial No.	Item in table subjoined to Schedule I of Indian Arms Rules	Persons or classes of persons exempted	Quantity of arms to which exemption is restricted
1	2	3	4
28	3	Enrolled volunteers	One gun or one rifle.
		<i>Marine Department.</i>	
29		Sailors	One gun or revolver, one sword, dagger or knife
30	4	<i>Judicial Department.</i>	
		All salaried or honorary officers above the rank of first class Magistrates and subordinate Judges	No restriction.
31		First and second class Magistrates and Subordinate Judges	One gun or one rifle and one sword
32		Third class Magistrates	One gun or one sword
33		Justices of the Peace	One gun or one rifle and one sword.
		<i>Revenue Department.</i>	
34		Officers above the rank of Deputy Collectors	No restriction.
35		Deputy Collectors	One gun, one rifle and one sword.
		<i>Public Works Department.</i>	
36		Officers above the rank of Assistant Engineers	No restriction.
37		Assistant Engineers	One gun, one rifle and one sword
37A		Landholders or Members of Municipal Boards or Committees of approved loyalty and good position who are designated in a list issued by the local Government	Two guns or rifles and also old family weapons which they must produce before the District Magistrate, who will prepare a list of the same and furnish the exempted person with a copy under his signature
			One sword
38	16	Village policemen in the Presidency proper.	One sword
39	18 (b)	First class Sardars, of the Deccan and Gujarat	No restriction.
40		Second and third class Sardars of the Deccan and Gujarat	Two guns or rifles, and also old family weapons which they must produce before the District Magistrate, who will prepare a list of the same and furnish the Sardar with a copy under his signature
		and the following number of their retainers.— First class Sardars 6 retainers. Second class Sardars 4 " Third class Sardars 2 " (Deccan only).	One firearm and one other weapon each retainer.

(Notn. No. 8239, dated the 19th Nov. 1912 as amended by Notn. No. 1247 dated the 15th Feb. 1913 and No. 2840 dated the 28th March 1913).

In exercise of the powers conferred on the Local Government by item (5) of the table subjoined to Schedule I appended to the Indian Arms Rules, 1909, the Governor in Council is pleased to declare that the persons or classes of persons included under that item, who have been exempted by the Governor General in Council or are hereby declared to be exempted by inclusion in the Schedule hereto appended, shall, with regard to arms carried or possessed by them within the limits of the Bombay Presidency, be subject to the restrictions to which they were severally subject before their retirement in accordance with the provisions of Government notification in the Judicial Department, No 8239, dated the 19th November 1912.

Schedule.

Officers of the Police, Forest, Postal, Telegraph, Jail, Medical, Salt, Opium, Excise, Agricultural, Marine, Judicial, Revenue and Public Works Departments who have retired on a monthly pension of not less than Rs 125 per mensem.

Bombay Government Notification, No. 8240, dated the 10th November 1912.

BENGAL.

(33) In exercise of the powers conferred by the clauses in column 3 of paragraphs (4), (5), (15) and (18), respectively, of Schedule I to the Indian Arms Rules, 1909, the Governor in Council is pleased to exempt from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act, 1878 (XI of 1878), the classes of officers or persons specified in the third column of the following table, in respect of the arms described in the following table when carried or possessed for their personal use in the Presidency of Fort William in Bengal —

TABLE

Every Justice of the Peace, every Deputy Collector, every officer, salaried or honorary of the Judicial service of a rank not below that of a Magistrate of the third class or Munsif, and every officer of the Public Works Department of a rank not below that of Assistant Engineer—two fowling pieces and one sporting rifle

All pensioned officers of the Civil Department of the classes mentioned in the second column relating to item I in this table—two fowling pieces and one sporting rifle

Every Landholder or Member of a Municipal Board or Committee exempted by special order of the Government—two fowling pieces and one sporting rifle

All the great Zamindars of Bengal, and all persons included in this category by an order of the Government under clause (a) in column 3 opposite to paragraph (18) of Schedule I to the Indian Arms Rules, 1909, the number and class of weapons for the personal use of the Zamindar himself (or the person included in the category of Zamindar) will be decided in each case on its merits,—one smooth bore muzzle or breech-loading gun for each retainer.

In exercise of the powers conferred by the clauses in column 3 of paragraphs (3) and (5), respectively, of Schedule I to the Indian Arms Rules, 1909, the Governor in Council is pleased to exempt from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act, 1878 (XI of 1878), the officers of the Police, Forest, Postal, Jail and Telegraph Departments specified in the following table, whether in service in those departments or on pensions granted in respect of such service, in respect of the arms described in the third column of that table, when carried or possessed for their personal use in the Presidency of Fort William in Bengal .—

TABLE.

Police Department.—Police officers of and above the rank of Sub-Inspector,—one smooth-bore fowling piece each.

Forest Department.—Forest Rangers whose minimum pay is not less than Rs. 100 per mensem, and officers of superior rank—one smooth-bore fowling piece and one sporting rifle other than a magazine rifle, or rifle of 303 or 450 bore

Postal Department.—All Superintendents of Post Offices and officers of higher rank, and all Post Masters, Deputy Post Masters, Assistant Post Masters and other officers whose minimum pay is not less than Rs 100 per mensem—one smooth-bore fowling piece each

Jail Department.—Officers of and above the rank of Jailor—one smooth bore fowling piece each.

Telegraph Department.—Assistant Superintendents of Telegraphs—smooth-bore fowling pieces and sporting rifles other than magazine rifles and rifles of 303 and 450 bore.

2. Eastern Bengal and Assam Notifications Nos 2295-G, dated the 15th, April 1910, and 3591-G., dated the 30th, May 1910 are hereby cancelled.

In exercise of the powers conferred by the clause column 3 of paragraph (3) of Schedule I to the Indian Arms Rules, 1909, and in supersession of Notification No. 2296 G. dated the 15th April 1910 issued by the late Government of Eastern Bengal and Assam, the Governor in Council is pleased to exempt the following officers of the Police, Forest and Postal Departments, employed in the Presidency of Fort William in Bengal, from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act 1878 (XI of 1878), in respect of such arms as are supplied to them the Government to be carried or possessed by them for their protection in the by execution of their duty —

Police Department.—Police officers below the rank of Sub-Inspectors.

Forest Department.—Forest Guards, Foresters and Deputy Rangers.

Postal Department.—Inspectors and other officers whose pay is less than Rs. 100 per mensem, overseers and runners.

Notns. Nos. 1340—1342P.D dated the 29th May, 1913.

PUNJAB.

(34). The Lieutenant-Governor is pleased to declare that the quantities of firearms and ammunition specified in the third column of the following table shall be the maximum quantity of firearms and ammunition which it is reasonable for any of the officers of the departments mentioned in the Punjab Government Notification No. 1639, dated the 20th November 1909, and employed in the territories under his administration, or subject to his control specified in the second column of this table to carry or possess.

This limitation does not apply to any person exempted under clause (13) of Schedule I of the Arms Act Rules —

Name of departments.	Designation of exempted persons.	Maximum quantities of firearms and ammunition.
Police	Native Officers, Inspectors and Sub-Inspectors in service or pensioned.	One shot gun and 100 rounds of gun-ammunition.
		One rifle (sporting) and 50 rounds ball ammunition.
		One revolver and 50 rounds ball ammunition
		Swords without limit.
Forest	Forest Rangers and officers of superior rank.	One shot gun and 100 rounds gun ammunition
		One rifle (sporting) and 50 rounds ball ammunition.
		One sword.
Postal	Superintendents of Post Office on pay exceeding Rs. 250 per mensem.	No restrictions.
	Superintendents on pay of Rs 250 per mensem or less and Postmasters (gazetted).	One shot gun and 100 rounds of gun ammunition.
		One rifle (sporting) and 50 rounds ball ammunition.
		Swords without limit.
	Postmasters, &c. (gazetted) ...	One sword.
	Ditto (non-gazetted) ...	Ditto.

Name of departments	Designation of exempted persons.	Maximum quantities of firearms and ammunition.
Telegraphs ...	Superintendents	No restrictions.
	Officers of and above the rank of Telegraph Masters.	One shot gun and 100 rounds of gun ammunition. One rifle (sporting) and 50 rounds ball ammunition. Swords without limit.
Jail ...	Jailors	One shot gun and 100 rounds of ammunition. One rifle (sporting) and 50 rounds ball ammunition. Swords without limit
	Deputy Jailors	} Swords without limit,
	Assistant Jailors	
Medical ...	Civil Surgeons	No restrictions.
	All Senior Assistant Surgeons on pay from Rs 300 per mensem and upwards.	One shot gun and 100 rounds of gun ammunition. One rifle (sporting) and 50 rounds of ball ammunition
Excise	Inspectors and Sub-Inspectors	One shot gun and 100 rounds gun ammunition. One rifle (sporting) and 50 rounds ball ammunition Swords without limit.
Salt	Officers of and above the rank of Superintendent on pay exceeding Rs. 250 per mensem	No restrictions.
	All other officers of and above the rank of Inspectors.	One shot gun and 100 rounds of guns ammunition. One rifle (sporting) and 50 rounds ball ammunition. Swords without limit.

With reference to clause (5) the Lieutenant-Governor is further pleased to declare that in the case of pensioned officers of Civil Departments, there shall be the same limits in respect to the carriage and possession of arms and ammunition in the territories under his administration and subject to his control as the said officers were subject to before retirement.

(Notns. No. 1210 dated the 2nd Aug. 1911 and No 1922 dated the 15th Dec 1912)

BURMA.

(35). Table showing the position of Europeans, East Indians and Armenians in Burma as regards exemption from the operation of the prohibitions and directions contained in sections 13 to 16 of the Indian Arms, Act, 1878, under the Indian Arms Rules, 1909, read with Judicial Department Notifications Nos. 164, 166 and 167, dated the 20th November 1909.

(1) Members of any Order of Knighthood and persons holding the Kaiser-i-Hind Medal or certain other distinctions.

(2) Members and ex-Members of the Viceroy's or the Lieutenant-Governor's Legislative Council

(3) Commissioned or Gazetted Army, Navy or Royal Indian Marine Officers, Warrant Officers, non-commissioned officers, soldiers, sailors, police-officers of or above the rank of Sub-Inspector, 1st grade, Extra Assistant Conservators and Forest Officers of higher rank, officers of the Post Office of India, Sub-Assistant Superintendents and officers of higher rank in the Telegraph Department, Superintendents of Jails and Inspectors of Excise Officers of higher rank. } No limit.

(4). Every Justice of the Peace, * * * every officer salaried or honorary of the Judicial Service of a rank not below that of a Magistrate of the third class, * * * or Judicial Myook, and every officer of the Public Works Department of a rank not below that of Assistant Engineer.

(9) Consuls and Consular Agents.

(3) Enrolled volunteers

One gun or rifle and 100 rounds of ammunition, in addition to the fire arms and ammunition supplied by Government

(5) Pensioned officers of the Provincial and Subordinate Civil Services and of the Police and Forest Departments who were exempted under Article (3) or Article (4) before retirement

One gun or rifle and 100 rounds of ammunition

(13) European or East Indian British subjects as such, Armenians, and Europeans and Americans who are not British subjects, so long as they are only temporarily residing or travelling in India

One gun, one rifle, one revolver and 200 rounds of ammunition for each weapon, provided that the arms held under this exemption are duly registered in accordance with the orders contained in Judicial Department Notification No 164, dated the 20th November 1909.

A European or East Indian British subject who is an enrolled ~~volunteer~~, or a pensioned officer coming under Article (5) can claim exemption either under Article (3) or Article (5) or under Article (13). Provided he does not possess arms in excess of the limits laid down for enrolled volunteers or pensioned officers, he need not register, but if he wishes to possess arms up to the limits laid down for European or East Indian British subjects under Article (13) he must register his arms.

A European or East Indian British subject entitled to exemption under Article (3) (otherwise than *qua* enrolled volunteer), or Articles (4) need not register any of his arms, since no limit has been fixed to possession by Europeans, or East Indian British subjects who fall within those categories.

SCHEDULE II—RULE 3.

ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

2. Within the areas specified in the first column of the subjoined table, the arms, ammunition and military stores described in the second column are exempted from the operation of such prohibitions and directions contained in the Act as are indicated in the third column.

The Table.

Area.	Arms, ammunition or military stores	Prohibitions and directions.
British India	Bows and arrows	All.
	Uniform swords and duks manufactured in Europe of recognized military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniforms,	Do.
	Swords imported for presentation as Army or Volunteer prizes, and	Do.
	Ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes	Do.
	Toy cannon weighing less than 56 lbs and having—	Do.
	(a) a calibre of less than one inch,	
	(b) a length of bore of less than 24 inches, and	
	(c) the interior of the bore unrifled.	
	Sights for rifles imported for the use of, or for sale to the persons enumerated in clause (21) of Schedule I, or Non-Commissioned officers and soldiers of the British or Indian Army on a written permit from the officer commanding the regiment to which they belong.	Do.

SCHEDULE II.—RULE 3.—*Contd.**The Table.*—Contd.

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
British India	Air-guns which satisfy the following test, namely, that projectiles discharged from such guns do not perforate a target 12" × 12" formed by five straw boards of foolscap size, each board being 3/64th of an inch thick and closely held together in a frame.	All.
	Provided that in making and estimating the test the following conditions shall be observed, —	
	(1) the gun shall be held horizontally with the muzzle at a distance of five feet from the target, (2) the test shall be repeated 20 times for each class of projectile which can be discharged from the gun, and (3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target and in any other case if the projectile passes completely through the back of the target.	
	Gunwads and wire-cartridges...	Those contained in section 6
	All arms, ammunition and military stores covered by any license or exemption granted in Berar under the law for the time being in force relating to arms, ammunition and military stores ;	All.
	Provided that the conditions of such license or exemption are observed.	

SCHEDULE II—*The Table*—contd.

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
British India, excepting Burma, Aden, and all districts on the external land frontier of Bri- tish India.	(1) Lead required <i>bona fide</i> for industrial and manufac- turing purposes (other than the manufacture of bullets and bird-shot) up to any quantity.	All.
	(2) Lead bullets and bird- shot in quantity not exceed- ing such limits as the local Government may fix.	Do.
	(3) Saltpetre	Do.
	(4) Sulphur in quantities not exceeding such limits as the local Government may fix.	Do.
Burma— (a) generally	(1) Lead, except lead in the form of bullets and birdshot.	Those contain- ed in section 6.
	(2) Lead, required <i>bona fide</i> for industrial and manufac- turing purposes (other than the manufacture of bullets and birdshot) in quantities not exceeding such limits as the local Government may fix	All.
	(3) Lead bullets and bird- shot, in quantities not ex- ceeding such limits as the local Government may fix, when possessed by persons entitled to possess fire-arms.	All.
	(4) Sulphur, not exceeding one seer.	All.
	(5) Dahs intended exclusively for domestic, agricultural, or industrial purposes.	All.
	(b) in the Arakan Hill Tracts. Spears	... All.

SCHEDULE II.—*The Table.*—contd

Area.	Arms, ammunition or military stores	Prohibitions and directions
Aden, and all districts on the external land-frontier of British India, outside Burma.	(1) Lead, required <i>bona fide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and birdshot) in quantities not exceeding such limits as the local Government may fix,	All.
	(2) Lead bullets and birdshot, in quantities not exceeding such limits as the local Government may fix,	Do.
	(3) Sulphur, not exceeding ten seers	Do.
Burma and all district on the external land-frontier of British India.	Saltpetre required for medicinal or goldsmith's purposes in quantities not exceeding 10 lbs	Do.
The Madras Presidency,	Spears.	Do.
The Bombay Presidency —		
(a) generally,	Spears and hunting knives.	Do
(b) in any district, or part of a district, which the Government may declare to come within this exemption.	Katyars* used in Mahratta marriage processions	Do
The Province of Bengal—		
(a) generally,	Kukris and doas.	Do.
(b) in the district of Angul,	Swords.	Do.
(c) in the districts of Shahabad, Patna and Gaya,	Swords carried by tahsildars or peons when employed in the collection, custody or remittance to Treasuries of water-rates.	
(d) in any district, or part of a district, which the local Government may declare to come within this exemption.	Spears.	Do.

* Vide notes, (3) and (7) on page 120.

SCHEDULE II.—*The Table.*—concluded.

Area	Arms, ammunition or military stores.	Prohibitions and directions.
The United Provinces of Agra and Oudh—		
(a) in the Kumaon Division	Kukris and Nepalese Bhujalis.	All.
(b) In the Dehra Dun District,	Kukris.	Do
(c) in any district, or part of a district, which the local Government may declare to come within this exemption.	Spears.	Do.
*The Province of Eastern Bengal and Assam—		
(a) generally,	Kukris and daos.	Do.
(b) in any district or part of a district, which the local Government may declare to come within this exemption,	Spears.	Do,
(c) in the Garo Hills, Lushai Hills, Naga Hills and Khasi and Jaintia Hills districts.	Swords and daggers.	Do.
The Central Provinces.	Spears and hunting knives.	Do.
Coorg.	Ditto.	Do.

*NOTE—Vide Bengal, Bihar and Orissa and Assam Laws Act, VII of 1912.

(1) Ten seers is the maximum quantity of sulphur exempted in Bengal.
(Notn. No. 2415-P, dated the 18th July 1910)

Five cwt. is the maximum quantity of leaden bullets and bird-shot exempted in Bengal.
(Notn. No. 1377 P. D, dated the 16th June 1911)

(2) In all districts of the Punjab, except the districts of Dera Ghazi Khan, leaden bullets and bird-shot in quantity not exceeding 1 cwt, and sulphur in quantity not exceeding 10 seers are exempt

In the district of Dera Ghazi Khan lead required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) in quantities not exceeding 1 cwt. is exempted

(Notns Nos 874 and 875 dated the 4th June 1910)

(3) Leaden bullets and bird-shot in quantity not exceeding 1 cwt. and sulphur in quantity not exceeding 20 lbs are exempt in the Bombay Presidency, excluding Aden and the districts of Karachi, Larkana, Sukkur and Upper Sind Frontier.

Lead required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) up to any quantity is exempt in Aden and in the districts of Karachi, Larkana, Sukkur and Upper Sind Frontier

(Notn. No. 5350, dated the 21st September 1910)

(4) Lead-cutting swords imported by Native Cavalry regiments are under section 1 (b) of the Arms Act exempt from the operation of the Act.

(H. D. letter No. 869-878, dated the 29th March 1897)

(5) In the district of Poona *Katyars* or small daggers which are used in marriage processions are excluded from the operation of the Act. (*Vide* also Bombay Local Rules and Orders)

(Notn. No. 3563, dated the 4th May 1897.)

(6) Masonic swords when not imported for sale should be admitted without license under the second clause of section 6 of the Act, a license being required when they are intended for sale.

(H. D. letter No. 1180-93, dated the 19th June 1897)

(7) A sword or other similar weapon carried in marriage processions in the province of Sind may be allowed to be carried free of license fee with the permission of the local Magistrate. The weapon should be borrowed from some person who possesses a license, and the borrower should be required to state in his application the name of the licensed owner from whom he proposes to obtain the temporary use of the weapon

(H. D. letter No. 1641, dated the 28th July 1899)

(8) The following patterns of air-guns have been declared to be toys and should not therefore be treated as arms for the purposes of the Arms Act, 1878, and the rules framed thereunder.—

- 1.—The Britannia.
- 2.—The Gem (two kinds).
- 3.—The Jewel
- 4.—The Militia
- 5.—The Birmingham small arms (ladies' model),
- 6.—Champion air-rifles
- 7.—Britannia air-rifles, (No 3 bore) new model
- 8.—Daisy air-guns—
- 9.—Diana-Luft-Gewehr air-guns Nos 1 and 3 bore.

(M G Notns. No 680 dated the 19th Decr 1908, No 793 dated the 31st Oct 1910 and B G Notns No 2395 P dated the 18th July 1910, Nos 3201 P dated the 16th Aug. 1910 and No. 1087 P. D dated the 30th May 1911)

(9). The Customs authorities are instructed to pass as a toy any air-gun of one of the

<p>(1) Jewel. (2) Militia Registered Made in Germany (3) Militia Patent. Made abroad. (4) Lubrick Excellent Patent. Made in Sweden (5) Gem. (6) Birmingham Small Arms Co., Ltd., Improved model G.</p>	<p>types mentioned in the margin as hitherto imported or which does not materially differ from one of those types, and any air-gun with or without a specific name which, in the opinion of the Collector of Customs, is obviously a toy and not a deadly weapon in the ordinary sense of the word. Any new type of air-gun which is not obviously a toy and air-guns which, though bearing the same designation as those noted in the margin, are of greater power than the guns bearing those designations which have hitherto been imported, will be sent for test to the Commissioner of Police.</p>
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*Note.—The B S A. Model D is also treated as a toy, *vide* letter No 589—80-L, dated the 23rd March 1911, from the Commissioner of Police, Rangoon, to the Chief Collector of Customs, Burma.

Any new type of air-gun which is not obviously a toy and air-guns which, though bearing the same designation as those noted in the margin, are of greater power than the guns bearing those designations which have hitherto been imported, will be sent for test to the Commissioner of Police, who will report to the Local Government the result of the test. If the air-gun is considered to be a dangerous weapon, the Local Government will declare it to be an arm for the purposes of the Indian Arms Act.

(Burma Govt. No 264—2 A. 8 dated the 8th March 1911.)

SCHEDULE III—(RULE 3.)

ARMS, AMMUNITION AND MILITARY STORES EXEMPTED.

The arms, ammunition and military stores described in the first column of the subjoined table are exempted from the operation of the prohibitions and directions contained in section 6 to the extent entered in the second column.

The Table.

Arms, ammunition and military stores.	Prohibitions and directions.
I Any arms, ammunition or military stores brought into and landed in bond at or brought into any port in British India and declared under manifest to be consignments for any port (other than a port specified in item II of the schedule) to which export is permitted under the rules for the time being in force.	All.
II. Any arms, ammunition or military stores brought into any port in British India and declared under manifest to be consignments for any port within the political charge of the Political Resident at Aden, the Political Resident in the Persian Gulf or the Political Resident in Turkish Arabia to which export is permitted under the rules for the time being in force.	Those relating to import.
III. Any arms, ammunition or military stores brought into the port of Aden and consigned, whether with or without transshipment, from any other British port to any other port, other than a port on the eastern sea-board of Africa to which the shipment of arms is for the time being forbidden by an order signed by the Resident at Aden.	All.

SCHEDULE IV.—(RULE 3.)

PARTS OF BRITISH INDIA WITHDRAWN.

4. The areas specified in the first column of the subjoined table are withdrawn, in respect of the arms and ammunition described in the second column, from such prohibitions and directions contained in the Act as are indicated in the third column.

The Table

Areas.	Arms and ammunition.	Prohibitions and directions.
(1) All Scheduled Districts in the Madras Presidency.	All, except rifled arms and cannon.	All, except those contained in sections 12 and 25.
(2) The Chittagong Hill Tracts of Eastern Bengal and Assam.	All	Those contained in sections 13 and 14.
(3) Ajmer-Merwara and those parts of the Mirzapur district in the United Provinces of Agra and Oudh which are situated on the right bank of the river Sone.	All, except cannon.	Ditto.
(4) The lands ceded to the British Government by His Highness the Nawab of Bahawalpur, which are, or may hereafter be, occupied by the North-Western Railway (including the lands occupied by stations, by outbuildings and for other railway purposes) and lie between the stations of Bahawal and Walhar.	All ..	Those contained in sections 14 to 16: Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption.
(5) The lands lying within the State of His Highness the Nawab of Bahawalpur which are, or may hereafter be, occupied by the Southern Punjab Railway (including the lands occupied by stations, by out-buildings and for other railway purposes) and so much of the said lands as lie between the stations of Samasata and Shujawalpur.	All	Ditto ditto

SCHEDULE IV—THE TABLE—*contd.*

Areas.	Arms and ammunition.	Prohibitions and directions.
(6) The lands which are, or may hereafter be, occupied by the Rajputana Malwa Railway in the Nimar district of the Central Provinces, (including the lands occupied as stations, out-buildings and for other railway purposes) between the stations of Mortakka and Nimar Kheri.	All ...	Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption.
(7) The following parts of the Punjab namely:— (a) the parganas of Lahaul and Spiti.	All (not being carried by members of trans-border tribes) except rifles, pistols, revolvers and daggers	Those contained in section 13.
(8) The following parts of the Punjab, namely:— (a) The parganas of Lahaul and Spiti, (b) The Dehra Ghazi Khan district, (c) The Isa Khel Tahsil of the Mianwali district.	All (not being possessed by members of trans-border tribes) except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.	Those contained in sections 14 and 15.
(9) The following parts of the North-West Frontier Province, namely — (a) All parts other than any area included in a Cantonment or Municipality of the Peshawar, Kohat, Bannu and Dehra Ismail Khan districts. (b) The jagir of the Nawab of Amb, known as the feudal Tanawal (including the Phulera Jagir). (c) The villages, other than the Municipality of Baffa, enumerated in the schedule to the Notification of the Government of the Punjab in the Home Department, No. 2460,* dated the 3rd July 1879.	All (not being carried by members of trans-border tribes) except rifles, pistols, revolvers and daggers.	Those contained in section 13.

* *Vide Punjab Local Rules and Orders,*

SCHEDULE IV—THE TABLE—concluded.

Areas.	Arms and ammunition.	Prohibitions and directions.
<p>(10) The following parts of the North-West Frontier Province, namely :—</p> <p>The whole of the North-West Frontier Province with the exception of those villages of the Hazara District which are not enumerated in the schedule to the notification of the Government of the Punjab in the Home Department, No 2460,* dated the 3rd July 1879.</p>	<p>All (not being possessed by members of trans-border tribes) except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.</p>	<p>Those contained in sections 14 and 15.</p>

* *See* Punjab Local Rules and Orders.

SCHEDULE V.—(RULE 17)

OFFICERS EMPOWERED TO GRANT LICENSES FOR EXPORT BY SEA TO PORTS IN
NATIVE STATES, OR TO FOREIGN TERRITORY

Officers.	Ports from which they may grant licenses to export	Ports to which they may grant licenses to export.	Conditions.
(1) The Chief Secretary to the Government of Madras.	Any port in British India.	Ports in Native States or foreign settlements within the political jurisdiction of the Government of Madras.	For sporting shot guns, and sporting ammunition only, not intended for sale or for military purposes, but for the private use of consignees.
(2) The Secretary to the Government of Bombay in the Political Department.	Ditto	Ports in Native States or foreign settlements within the political jurisdiction of the Government of Bombay, or to ports within the territories of His Highness the Gaekwar of Baroda. Ports within the political jurisdiction of the Political Resident in the Persian Gulf. Any ports on the coast of Africa. Ports within the political jurisdiction of the Political Resident in Turkish Arabia.	
(3) The Commissioner in Sind.	Karachi	Ports within the territory of His Highness the Rao of Kutch. Ports within the political jurisdiction of the Political Resident in the Persian Gulf. Ports within the political jurisdiction of the Political Resident in Turkish Arabia.	

Do.

SCHEDULE V—*contd.*

1 Officers.	2 Ports to which they may grant licenses to export.	3 Ports to which they may grant licenses to export.	4 Conditions.
(4) The Political Resident at Aden.	Aden ..	Any port on the coast of Africa or Arabia (other than a port on the latter coast which is within the political jurisdiction of the Political Resident in Turkish Arabia). Any port on the coast of Arabia which is within the political jurisdiction of the Political Resident in Turkish Arabia.	... For sporting shot guns, and sporting ammunition only, not intended for sale or for military purposes, but for the private use of the consignee.
(5) The Agent to the Governor, Kathiawar, and the Political Agent, Kutch.	Bombay and Karachi.	Any port in the Native States under their political charge.	
(6) The Agent to the Governor General and Chief Commissioner in Baluchistan, and the Political Agent, Kalat.	Any port in British India.	Any port of the Makran Coast which is within their political jurisdiction.	

SCHEDULE VI.—(RULE 18).

OFFICERS EMPOWERED TO GRANT LICENSES FOR EXPORT BY LAND OR RIVER TO
ANY PLACE BEYOND THE FRONTIER OF BRITISH INDIA.

1 Officers.	2 Place.	3 Conditions.
(1) A Secretary to the Government of — (a) Madras. (b) Bombay. (c) Bengal.	Any Native State.	For the export of ammunition intended solely for the use of a public railway or other public work.
(2) The Commissioner of Police in Madras.	Any of the French Settlements in the Madras Presidency.	To persons who would be exempted in British India from the ordinary prohibition of the Arms Act and subject to the following conditions, so far as those conditions apply to the circumstances of the case — (a) The consignment for export must consist only of arms and ammunition in reasonable quantities and for personal use. (b) The consignee must belong to one of the classes of persons mentioned in schedule I of these rules. (c) The Commissioner will keep a list of such licenses.
(3) The Commissioner of Police in — (a) Madras. (b) Bombay.	Any Native State.	Subject to the conditions specified below, namely — (a) The consignment for export must consist only of arms and ammunition in reasonable quantities and for personal use. (b) The consignee must belong to one of the classes of persons mentioned in schedule I of these rules. (c) The Commissioner or Deputy Commissioner will keep a list of such licenses. (d) No such officer may grant a license for the export to a Native State of any arms of the kind specified in Rule 8, sub-rule (1) (a) and (b) as modified by clause (2), unless arms have been lawfully imported into British India, and are required for the personal use of persons of the classes mentioned in schedule I of these rules.
(4) The Deputy Commissioner of Police in Calcutta.		
(5) The District Magistrate of Malabar.	Mahé ...	.....
(6) The Secretary to the Government of Bombay in the Political Department.	Portuguese India.	.....

SCHEDULE—VI—*continued.*

1 Officers.	2 Place.	3 Conditions.
(7) (a) The Chief Secretary to the Government of Fort St. George	Pondicherry and the other French Settlements in the Madras Presidency	.....
(b) The Chief Secretary to the Government of Bengal.	Chandernagore	.....
(8) The District Magistrate of Meerut.	Any Native State ...	For the export of ammunition only to Native States; and for the export of arms and ammunition to Kurram, Chitral and Waziristan, subject to the following conditions — (a) The consignment for export must consist only of sporting ammunition ^{sporting arms} and ammunition in reasonable quantities for the personal use of the consignee (b) The consignee must belong to one of the classes of persons mentioned in schedule I of these rules (c) The Magistrate should keep a list of all licenses issued by him. (d) Copies of licenses covering consignments to State in Central India or Rajputana should be sent to Agents to the Governor-General in Council in Central India and Rajputana, respectively. In the case of Chitral, when the ammunition is to be exported <i>via</i> Peshawar, the Magistrate should send a copy of license to the Political Agent for Dir, Swat and Chitral, for communication, when necessary, to the Assistant Political Agent in Chitral. If the consignment is forwarded <i>via</i> Kashmir, a copy of the license should be sent to the Resident. In the case of Waziristan, the Magistrate should refer to the Political Agent, Tochi or the Political Agent, Wana according as the consignment is for Tochi or for elsewhere in Waziristan.
(9) The District Magistrate of Meerut.	Kurram, Chitral and Waziristan.	
(10) The District Magistrate of Rawalpindi.	Kashmir ...	Subject to the following conditions:— (a) The consignment for export must consist only of sporting ammunition in reasonable quantities for the personal use of the consignee (b) The consignee must belong to one of the classes of persons mentioned in schedule I of these rules. (c) The Magistrate should keep a list of all licenses issued by him.

SCHEDULE VI—*contd.*

Officers.	Place.	Conditions.
<p>(11) (a) The Residents in :—</p> <p>(1) Hyderabad</p> <p>(2) Mysore,</p> <p>(3) Baroda,</p> <p>(4) Nepal and</p> <p>(5) Kashmir.</p> <p>(b) The Agents to the Governor General in :—</p> <p>(1) Baluchistan,</p> <p>(2) North-West Frontier Province.</p> <p>(c) All Political Officers in .—</p> <p>(1) Rajputana and</p> <p>(2) Central India.</p> <p>(d) The Commissioner of Ajmer-Merwara</p> <p>(e) Commission or in Sind.</p> <p>(f) The Agent to the Governor, Kathiawar.</p> <p>(g) The Political Agents in —</p> <p>(1) Kolhapur and Southern Maratha Country,</p> <p>(2) Kutch,</p> <p>(3) Rewa Kantha,</p> <p>(4) Mahi Kantha,</p> <p>(5) Savantvadi and</p> <p>(6) Palanpur.</p> <p>(h) All Political Officers in the Punjab.</p> <p>(i) The Political Agent, in Hill Tippera.</p> <p>(j) The Political Agent, Orissa Feudatory States.</p> <p>(k) The Commissioner of Chota Nagpur.</p>	<p>Native States or territory under their political charge.</p>	<p>(a) no license shall be granted for the export of —</p> <p>(i) cannon, or</p> <p>(ii) military stores of any kind other than sulphur, or</p> <p>(iii) save as hereinafter provided rifles of the 303 or of 450 bore, or</p> <p>(iv) save as hereinafter provided, ball-d ammunition which can be fired from rifles of the bores specified in sub-head (iii)</p> <p>(b) licenses for the export of rifles of the bores there specified may be granted to persons of the classes mentioned in schedule I, subject to the condition that the rifles have been lawfully imported into British India,</p> <p>(c) licenses for the export of cartridges of the nature there specified may be granted to persons of the classes mentioned in schedule I, subject to the conditions that the number of such cartridges does not exceed two hundred in any one year and that they are for the personal use of the licensees</p>

SCHEDULE VI.—*Contd.*

1 Officers.	2 Place.	Conditions.
(l) The Resident in Travancore and Cochin.		
(m) The Political Agents for.—		
(1) Pudukota,		
(2) Banganapalle and		
(3) Sandur.		
(n) The Political Agents in —		
(1) Quetta-Pishin,		
(2) Sibi and		
(3) Kalat.		
(o) The Collectors and Political Agents —		
(1) Surat, (2) Satara,		
(3) Thana, (4) Kolaba,		
(5) Dharwar, (6)		
Kaira, (7) Sholapur,		
(8) Poona, (9) Nasik,		
(10) Bijapur and		
(11) Sukkur		
(p) The Political Agent in Manipur.		
(q) The Deputy Commissioner in the Khasi and Jaintia Hills.		
(r) The Political Officer in Sikkim, Gangtok.		
(s) All Political Agents and Deputy Commissioners in the North-West Frontier Province.		
(t) The Political Agent, Chhattisgarh Feudatories, and all Civil officers in the Central Provinces, who may be in charge of Native States under the Political Control of the Chief Commissioner.		

SCHEDULE VI—*concluded.*

Officers.	Place.	Conditions.
(12) (a) The Secretary to the Government of Bombay in the Political Department, and (b) The Chief Secretary to the Government of Bengal.	Any place within the the political jurisdiction of His Britannic Majesty's Consul General and Agent of the Government India in Khorasan or of His Britannic Majesty's Consul for Seistan and Kaim.	
(13) The Chief Secretary to the Government of Burma.	Any Native State in the Political charge of the Government of Burma.	Subject in the case of export to Siam or China to the condition that the consignee has obtained sanction to the import of the consignment from the Siamese or Chinese authorities concerned.

SCHEDULE VII.—[RULES 35 AND 39.]

FORM No. I.—(Rules 6, 21 and 25.)

License for the ^{import}~~transport~~ of cannon, articles designed for torpedo service, war-rockets or machinery for the manufacture of arms or ammunition.

Name, description, and residence of licensee and agent (if any)	Number of packages	Description, with specification of calibre of cannon or other articles	Number of articles	COLUMNS TO BE FILLED UP IN CASES OF IMPORT OR TRANSPORT			Period for which the license is valid.	Use to which the articles are to be put.
				Place of despatch & route.	Place of destination.	Name, description and residence of consignee.		
							From the ———	
							to the ———	
							——— 19 .	

The _____ of _____ 19 . { Date on which in cases of import or transport a copy is sent to the _____ Commissioner of Police _____, _____ Magistrate of the _____ district.



(Signature.)

Secy. to the Govt of India,
Home Foreign Department.

The _____ of _____ 19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. In cases of import or transport—

(a) bulk shall not be broken before the articles reach the place of destination; and

(b) the articles shall be delivered only to a person lawfully entitled to receive them

3. In cases of import by land or river or of transport, an account of the contents of each package shall be legibly written thereon.

4. In cases of transport by rail, each package shall be marked with the word "Cannon" or as the case may be, in such a manner as to be readily recognizable by the railway authorities.

SCHEDULE VII—contd.
FORM No. II—[Rules 9 and 10.]

FEE—

- (a) where granted under rule 9 (i) (d),—**FREE OF ALL FEE,**
 (b) where granted under rule 10,—**ONE RUPEE IN STAMPS;** or
 (c) in any other case,—**TEN RUPEES IN STAMPS.**

*License for the import of arms, ammunition or military stores into
 the port of———*

Name, description and residence of licensee and agent (if any)	Number of pack- ages.	ARMS.		AMMUNITION OR MILITARY STORES		Purpose for which required	Value of the firearms per piece	Place where articles are to be deposited or to which they are to be des- patched	Period for which the license is valid
		De- scrip- tion.	Num- ber	Descrip- tion	Weight in seers or num- ber				
									From the——— ——— to the ——— ——— 19

The _____ of _____ } (Signature.)
 _____ }
 _____ 19 }  *Commissioner of Police, _____*
Magistrate of the _____ district
Secy. to the Govt. of Madras

Conditions.

- This license is granted subject to all the provisions of the India Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.
- An account of the contents of each package shall be legibly written thereon
- The articles shall be either—
 - deposited, at Aden in such Government ware-house as the Resident may from time to time appoint in this behalf, and elsewhere in a ware-house—
 - appointed under section 15 of the Sea Customs Act, 1878 (VIII of 1878), or
 - licensed under section 16 of the said Act and sanctioned under section 7 of the Indian Arms Act, 1878, or
- forthwith despatched to their place of destination under a separate license, where such place is situated outside the port of import, for transport or export by land.

SCHEDULE VII—contd.
FORM No. III.—[Rule 11]

FEE—

(a) where granted under rule 11 (1),—FIVE RUPEES IN STAMPS,

(b) where granted under rule 11 (2),—FREE OF ALL FEE

License for the import of arms, ammunition or military stores by land or river, otherwise than into Aymer-Merwara.

Name, description and residence of licensee and agent (if any)	Number of packages.	ARMS		AMMUNITION OR MILITARY STORES		Place of despatch and route	Purpose for which required	Place of destination	Name description and residence of consignee.	Period for which the license is valid.
		Description	Number	Description	Weight in seers or number					
										From the— to the— —19

(Signature.)



Commissioner of Police _____
Magistrate of the _____ *district.*
Political Agent for the _____ *State.*

The _____ of _____ 19 _____ { Date on which a copy is sent to the
Political Agent for the—State [rule 11 (3)].
Magistrate of the—district [rule 11 (4)].
Station Master at the—Station [rule 11 (5)]

The _____ 19 _____

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909

2. The articles shall not be conveyed by any route other than that specified in column 7, and bulk shall not be broken, nor shall the consignment be stopped before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VII—*contd.*
FORM No. IV.—[Rule 12.]

FEE—

FIVE RUPEES IN STAMPS.

License for the import of arms, ammunition or military stores into Ajmer-Merwara.

Name, description and residence of licensee and agent (if any)	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required	Place of destination	Name, description and residence of consignee	Period for which the license is valid.
		Description	Number	Description	Weight in seers or number.					
										From the— _____ to the— _____ —19 .

(Signature)

Secy. to the Govt of India, Foreign Dept
Officer specially empowered under rule 12 (1) (c).

The—
of—

Date on which a copy is sent to the
Commissioner of Ajmer-Merwara [r. 12 (2)].
Station Master at the—Railway Station [r. 12 (3)].

-19

The.

- 19

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7, and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms" "Ammunition" or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VII—*contd.*

FORM No. V.—[Rule 16.]

FEE—

(a) where granted under rule 16 (2) (a) to (d),—TEN RUPEES,
or in the case referred to in rule 39 (2),—ONE RUPEE IN STAMPS;

(b) where granted under 16 (2) (e),—FREE OF ALL FEE.

*License for the export by sea of arms, ammunition or military stores from the
port of _____ to the port of—*

Name, description and residence of licensee and agent, (if any)	Number of pack- ages.	ARMS.		AMMUNITION AND MILITARY STORES		Port to which con- signment is to be despatched	Period for which the license is valid
		Description.	Num- ber	Description	Weight in seers or num- ber		
							From the _____ _____ to the _____ _____ _____

The _____
of _____
_____ 19 .

Date on which the consent of the
Commissioner of Police, _____
Magistrate of the _____ district,
is obtained [r. 33 (1)]

The _____
of _____
_____ 19

Date on which a copy is sent to the
Commissioner of Police _____
Magistrate of the _____ district,
[r. 16 (4)].

(Signature.)

Seal,

Commissioner of Police,
Magistrate of the—

The—

19

Conditions.

This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules 1909.

2. Where the consignment is to be despatched to an Indian port the license shall not be valid for export to any port other than that entered in column 7.

SCHEDULE VII—*contd.*

FORM No. VI.—[Rule 17]

FEE—FIVE RUPEES IN STAMPS.

License for the export by sea of arms (other than cannon or rifles falling within the restriction imposed by rule 15), ammunition or military stores from the port of _____ to the port of _____

Name, description and residence of agent (if any)	Number of packages	ARMS		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required	Name, description and residence of consignee		Period for which the license is valid
		Description	Number.	Description	Weight in seers or number			Place of destination		

From the—

to the—

-19

(Signature.)

The- -19 .

Secretary to the Government of India, Foreign Dept.,
Office specially empowered under rule 17.

Conditions.

This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, or the consignment stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as they case may be, so as to be readily recognizable by the railway authorities.

**SCHEDULE VII.—contd.
FORM No. VII.—[Rule 18]**

FEE—FIVE RUPEES IN STAMPS unless remitted or reduced under rule 39.

License for the export by land or river of— { *arms, ammunition or military stores to —in the State*
arms (other than cannon), ammunition or military stores out of the district of Ajmer Merwara.
arms (other than cannon), ammunition or military stores to the —State in the political charge of the Government of—.

Name, description and residence of licensee and agent (if any)	Number of packages	ARMS.		AMMUNITION OR MILITARY STORES		Place of despatch and route	Purpose for which required	Place of destination	Name and residence of consignee	Period for which the license is valid.
		Description.	Number.	Description.	Weight in sters or number					

From the-

to the-

19

The _____
 of _____
 _____19 .

{ Date on which the consent of the
 Political Agent for the _____ State
 Commissioner of Police _____
 Magistrate of the _____ District
 is obtained [r 33 (1)]

(Signature.)

The-
 of—
 —19

{ Date on which a copy is sent to the
 Political Agent for the _____ State [r 18 (3)]
 Magistrate of the _____ District [r 18 (4)]
 Commissioner of Police, [r 18 (5) (a)]
 Magistrate of the _____ District [r 18 (5) (b)]
 Station master at the _____ Ry Station [r. 18 (6)]

*Secy. to the Govt of India,
 Foreign Dept
 Officer specially
 empowered under rule 18
 Secy to the Govt of _____
 Chief Commissioner.*

The-

-19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VII—contd
FORM No VIII—[Rule 22.]

FEE—TEN RUPEES IN STAMPS.

License for the transport of arms, ammunition or military stores.

Name, description and residence of licensee and agent (if any) authorized for the purpose of this consignment.	Licen-see's place of business, if any	Num-ber of pack-ages	Arms.		AMMUNITION OR MILITARY STORES		Place of des-patch, route and mode of transit	Place of des-tination.	Name, descrip-tion and residence of con-signee	Period for which the license is valid.
			De-scrip-tion.	Num-ber.	De-scrip-tion	Weight in seers or number				
										From [the— _____ to the— _____ —19 .

The— { Date on which the consent of the
of— { Commissioner of Police, —
—19 { Magistrate of the District
is obtain [r 33 (1)].

(Signature)

The— { Date on which a copy is sent to
of— { Comr of Police,—[r 22 (2) (a)]
—19 { Magistrate of the—Dist [r.22 (2) (b)]
Magistrate at—[r. 22 (3)].

Seal

Comr of Police,
Magte. of the—Dist.

The—

—19

Resident
Assistant Resident —in Baroda.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7, and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as the case may be so as to be readily recognizable by the railway authorities.

4. The articles shall be delivered only to a person lawfully entitled to receive them.

SCHEDULE VII—*contd.*

License Forms Nos. IX & X have been cancelled by Home Department
Notification No. 3857 dated the 8th July 1910.

FORM NO XI.—[Rule 24 (1) (a).]

FEE—TWENTY RUPEES IN STAMPS.

License to manufacture, convert, sell or keep and sell, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).

Serial number of license.	Name, description and residence of licensee	Place of business, factory or shop	DESCRIPTION OF ARMS.		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which the license expires
			to be man- ufactured or conver- ted	to be sold or kept for sale	to be manu- factured	to be sold or kept for sale.	
<i>In Burma—</i> The 31st March, 19 .							
<i>Elsewhere—</i> The 31st Decem- ber 19 .							

The- -19  (Signature) Commissioner of Police _____
Magistrate of the _____ district.

Form for renewal of the License

Date and year of renewal	Date on which the renewed license expires.	Signature of Commissioner of Police, _____ Magistrate of the _____ district.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Conditions

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909

2. He shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales, in such form as the local Government may direct

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officer of a rank not below that of Inspector, or, if the local Government so directs, of Sub-Inspector.

4 (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English and in the Vernacular of the district his name and the words "Licensed to manufacture (or "Licensed to deal in) arms, ammunition and military stores" as the case may be.

(2) He shall also affix in his place of business, factory or shop a copy of section 28 either in English or in the Vernacular of the district.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form Nos. XVI, XVII, XVIII, or XIX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6 He shall not sell ammunition to any person licensed to possess or carry arms, in excess of the maximum which may be fixed by the local Government for such person and which is endorsed on his license.

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3.

8 He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit

9. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the local Government, or in Sind by the Commissioner in Sind, keep or sell revolvers manufactured out of India or magazine pistols.

Explanation — For the purposes of this condition,—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores," mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

10 Where the license is granted in and for any local area in Eastern Bengal and Assam the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the local Government may from time to time by notification apply this condition.

11 (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

(a) Any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in a list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use

12 (1) Where the license is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

(a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14) or articles (18) sub head (d), of the table appended to schedule I, from certain prohibitions and directions contained in sections 13 to 16, or

(b) any villagers residing in those portions of the North-West Frontier Province which are specified in entries (9) and (10) of Schedule IV as withdrawn from the operation of certain sections of the Act,

(c) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

13. Save where the local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the license

SCHEDULE VII.—*contd.*

FORM No. XII.—[Rule 24 (1) (b)]

FEE—TEN RUPEES IN STAMPS.

License to keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)

Serial number of license.	Name, description and residence of licensee.	Place of business or shop.	DESCRIPTION OF		Date on which the license expires.
			Arms	Ammunition or military stores	
					<i>In Burma—</i> The 31st March, 19 .
					<i>Elsewhere—</i> The 31st Dec 19 .

(Signature.)

The-

-19



Commissioner of Police, _____
Magistrate of the _____ district.

Form for renewal of the License

Date and year of renewal	Date on which the renewed license expires.	Signature of Commissioner of Police or Magistrate.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Conditions.

1. This license is granted subject to the provisions of the Indian Arms Act, (1878 XI of 1878), and the Indian Arms Rules, 1909
2. He shall maintain registers of all arms, ammunition and military stores in stock and of all sales in such form as the local Government may direct.
3. He shall exhibit his stock and his register on the demand of any Magistrate or any Police Officer of a rank not below that of Inspector or, if the local Government so directs, of Sub-Inspector.

4 (1) He shall affix on a conspicuous part of his place of business or shop a signboard, on which shall be printed in large letters in English or in the Vernacular of the district his name and the words "licensed to deal in arms, ammunition and military stores"

(2) He shall also affix in his place of business or shop a copy of section 28 in English or in the Vernacular of the district

5 He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No XVI, XVII, XVIII or XIX—

- (a) name, description and residence of the person who takes delivery of the articles sold,
- (b) the nature and quantity of the articles sold, and
- (c) the date of sale,

and shall sign the endorsement

6 He shall not sell ammunition to any person licensed to possess or carry arms in excess of the maximum which may be fixed by the local Government for such person and which is endorsed on his license

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3

8 He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian army, unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit

9. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the local Government, or in Sind by the Commissioner in Sind, keep or sell revolvers manufactured out of India or magazine pistols.

Explanation -- For the purposes of this condition—

- (a) "Government arms" means a firearm or other weapon which is the property of the Government, and
- (b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government

10 Where the license is granted in and for any local area in Eastern Bengal and Assam, the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the Lieutenant-Governor may, from time to time by notification apply this condition.

11 (1) Where the license is granted in and for any local area in Burma, the licensee shall not save as herein otherwise provided, sell any arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of —

- (a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or
- (b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

12 (1) Where the license is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel taluk of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided sell arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of —

- (a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14), or article (18) sub head (d), of the table appended to schedule I from certain prohibitions and directions contained in sections 13 to 16, or
- (b) any villagers residing in those portions of the N W F Province which are specified in entries (9) and (10) of schedule IV as withdrawn from the operation of certain Sections of the Act,
- (c) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use

13. Save where the local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the license

SCHEDULE VII—*contd.*

FORM No. XIII—[Rule 24 (2) (a)]

FEE—Where the licensee holds a license in Form No. XI, FREE OF ALL CHARGE.
In all other cases, TWENTY RUPEES IN STAMPS.

License to manufacture, convert, sell, or keep and sell breech-loading rifles, rifles ammunition or military stores for rifles.

Serial number of license	Name, de- scription and resid- ency of licensee	Place of business, factory or shop	DESCRIPTION OF ARMS		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which the license ex- pires
			to be manu- factured or converted	to be sold or kept for sale	to be manu- factured or kept for sale	to be sold or kept for sale	

In Burma—
The 31st March
19

Elsewhere—
The 31st De-
cember 19 ,

The _____

19



(Signature)
Secretary to the—
Commissioner in Sind.

Form for renewal of the License.

Date and year of renewal

Date on which the renewed
license expires

Secretary to the local Government
Commissioner in Sind.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules 1909
2. He shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in such form as the local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officers of a rank not below that of Inspector, or, if the local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English or in the Vernacular of the district his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business, factory or shop a copy of section 28 either in English or in the Vernacular of the district.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form XVI, XVII, XVIII or XIX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the article sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall not sell breech-loading rifles, rifle ammunition or military stores for rifles, elsewhere than at the place of business, factory or shop specified in column 3.

7. He shall not keep Government arms, ammunition or military stores.

Explanation—For the purposes of this condition,—

(a) "Government arm" means a fire arm or other weapon which is the property of the Government, and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory or prepared for and supplied to Government.

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army, unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

10. (1) Where the license is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Iskhel tahsil of the Muzwah district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14), or article (18) sub-head (d), of the table appended to Schedule 1 from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

11. Save where the local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the license.

3 He shall exhibit his stock and his register on the demand of any Magistrate or any Police officer of a rank not below that of Inspector or, if the local Government so directs, of Sub-Inspector.

4 (1) He shall affix on a conspicuous part of his place of business or shop a signboard on which shall be printed in large letters in English and in the Vernacular of the district his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business or shop a copy of section 28 in English or in the Vernacular of the district.

5 He shall at the time of purchase endorse upon the license of every purchaser holding a license in any of the Form Nos. XVI, XVII, XVIII, or XIX—

- (a) the name, description and residence of the person who takes delivery of the articles sold,
 - (b) the nature and amount of the articles sold, and
 - (c) the date of sale,
- and shall sign the endorsement.

6. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

7. He shall not keep Government arms, ammunition or military stores

Explanation—for the purposes of this condition,—

(a) "Government arm" means a firearm or other weapon which is the property of the Government, and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

8 He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian army, unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9 (1) Where the license is granted in and for any local area in Burma the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in the condition shall be deemed to apply to sales or for the use of—

(a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

10 (1) Where the license is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isakhel taluk of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14), or article (18), sub-head (d), of the table appended to Schedule I from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

11. Save where the local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the license.

SCHEDULE VII—*contd.*

FORM No XV — [Rule 26].

FREE OF ALL FEE.

License for the possession of firearms, ammunition or military stores.

Name, description and residence of licensee and agents, if any	Number and description of firearms	AMMUNITION OR MILITARY STORES		Price (with description of articles to be kept)	Period for which the license is valid
		Description	Quantity		

The _____ of _____ 19



(Signature.)
 Commr of Police
 Magistrate of the _____ district.

Conditions

1. This license is granted subject to all the provisions of the Indian Arms Acts, 1878 (XI of 1878), and the Indian Arms Rules, 1909

2. It covers only the fire-arms, ammunition and stores specified in columns 3 and 4, so long as they are kept in the place described in column 5, but does not authorize him—

- (a) to go armed, or
- (b) to keep Government arms or ammunition.

In Burma, condition 2 (b) may be cancelled by the authority granting the license, if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess

Explanation.—For the purposes of this condition—

- a “Government arm” means a fire-arm or other weapon which is the property of the Government, and
- (b) “Government ammunition” means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

Conditions.

1 This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909

2 It covers only the persons named, and the arms and ammunition described, their own and such retainers (if any) as may be entered in column 4. (*Vide* note (1) below.)

3 Save where it is countersigned in the manner provided by rule 27, sub-rule (2) or sub-rule (3), it extends only to the district or place specified therein.

4 The licensee or any retainer acting under this license shall not go armed with any arms covered thereby otherwise than in good faith for the purpose of $\frac{\text{sport}}{\text{protection}}$; and, save display
where he is specially authorized in this behalf—

(in any Presidency Town or Rangoon) by the Commissioner of Police,

(in any other place) by the Magistrate of the District,

he shall not take any such arms into a railway carriage or to a fair, religious procession or other public assemblage

5 The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely—

- (a) the name, description and residence of the person who takes delivery of the articles purchased,
- (b) the nature and quantity of the articles purchased, and
- (c) the date of purchase

6 He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government. (*Vide* note (2) below)

7 Save where the local Government directs the omission of this condition, he shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the license

8. He shall not possess Government arms and ammunition.

Explanation—For the purposes of this condition,—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government, and
- (b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE—In Burma, condition 8 may be cancelled by the authority granting the license if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the license is authorised to possess

9. Where the license is granted for the purpose of sport, the licensee or any retainer acting under the license shall observe such close season as may be prescribed by the local Government in respect of the game-birds and animals hereinafter set forth below.

Notes

(1) It has been brought to the notice of the Lieutenant-Governor in Council that the provision for permitting the inclusion of retainers has been used by Magistrates in some cases without sufficient discrimination, and has, accordingly, pleased to prescribe the following instructions for the guidance of Magistrates in this matter:—

- (1) The provision for including retainers is intended to meet the case only of persons whose standing or circumstances are such as to make it reasonable for them to employ retainers or servants who would be required in the ordinary course of their duties to carry weapons. It should, as a rule, not be granted except the case of gentlemen included in the Durbar lists of their respective districts
- (2) All applications for the inclusion of retainers under license in Forms XVI and XIX must be dealt with by the District Magistrate in person.
- (3) If any retainer whose name is entered in license should, during the continuance of the license, die, or be dismissed from or resign the service of the licensee, no other person shall be entitled to possess arms or ammunition as the successor of such retainer, unless his name, father's name, and address are entered in the license under the signature of the officer who granted the license or the successor to such officer.

- (4) When no retainers are licensed the fact should be clearly indicated in column 4 of Form XVI or column 3 of Form XIX, as the case may be.

(Bengal Govt Resolution, No. 5073 P., dated the 25th August 1911)

(2) I am directed to refer to your letter No ° ° dated the 2nd October 1909, inquiring whether in issuing licenses in form XVI of the forms annexed to the Indian Arms Rules, 1909 licensing officers should in every case specifically mention in column 3 the quantity of ammunition in addition to the particulars of the arms covered by it. It is suggested that in view of condition No 6 of form XVI it is unnecessary to require the entry of the quantity of ammunition (other than ball ammunition which can be fired from rifles of 303 or 450 bore) in the license.

2 In reply I am to say that the quantity of ammunition which a licensee may possess should in every case be entered in column 3 of the license; but that the quantity thus entered represents the maximum which the licensee may possess at any one time. In respect of this point it appears that ° ° ° ° most of the District Magistrates whose letters are appended to your letter, are in error in supposing that the entry of a given quantity of ammunition in column 3 of the license represents the absolute maximum which a licensee may possess throughout the year. That this view is incorrect is shown by condition No 6 of the license form XVI, which contemplates that the local Government should, if it considers necessary, fix an absolute maximum in excess of which licensees shall not purchase ammunition in the whole year. If the quantity to be specified by the licensing authority in column 3 of the license which may and should vary with the circumstances of each case, is to be taken to be the absolute yearly maximum, then it would be superfluous to provide for the fixing of such a maximum by special order of the local Government. Nor does it appear to be the case that the entering of the quantity in column 3 of the license need cause inconvenience to dealers. So long as no absolute maximum has been fixed by the local Government, as above explained, all that a dealer need do is to see that he does not supply to the licensee more than the specified quantity of ammunition at any one time and to endorse upon the license, as required by condition 5, the prescribed particulars as to the transaction. When, however, the local Government has fixed an absolute maximum quantity, with reference to condition No 6 of form XVI, thus limiting the amount a license-holder may purchase in a year, it becomes necessary for the vendor further to see, by reference to the endorsements relating to former transactions, whether the absolute maximum so fixed has been reached, and if it has, he must, under condition 6 of license form XVI, refuse to sell any more. There appears to the Government of India to be nothing unduly complicated or oppressive in these provisions.

(H. D. No 4108 dated the 1st November 1909.)

(3) District Magistrates and the Commissioner of Police are requested to inform all dealers in arms and ammunition that if a license issued in form XVI, XVII or XVIII of the form appended to the Indian Arms Rules, 1909, contains no entry as to the quantity of ammunition covered by it, they should refuse to supply any ammunition to licensee and should return the license to be properly filled in.

(Madras G. O No 497, dated the 2nd April 1910)

SCHEDULE VII—*contd.*FORM No. XVII.—(*Rule 28.*)

FREE OF ALL FEE.

License for the possession of arms and ammunition and for going armed, for the destruction of wild animals which do injury to human beings or cattle.

Name, description and residence of licensee	ARMS AND AMMUNITION		Place or tract within which the license is valid	Specification of the wild beasts which may be destroyed under this license	Period for which the license is valid.	Title and residence of Magistrate to whom the license and weapon must be shown between the 15th November and the 31st December.
	Description	Quantity				

(Signature.)

Magistrate of the—

—District.

The — of — 19

Conditions

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. Once every year, between the 15th November and the 31st December, the licensee shall produce this license and every weapon covered thereby before the Magistrate referred to in column 6.

3. He shall not go armed with any arms covered by this license otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle; nor shall he take any such arms into a railway carriage, or to a fair, religious procession or other public assemblage or to any considerable distance beyond the place or tract entered in column 4.

4. He shall forthwith give information at the nearest police station of the loss or theft of any gun covered by this license.

5. He shall not keep Government arms or ammunition.

Explanation.—For the purpose of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

- (b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE.—In Burma, condition 5 may be cancelled by the authority granting the license, if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government.

7. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely :—

- (a) the name, description and residence of the person who takes delivery of the articles purchased ;
- (b) The nature and quantity of the articles purchased , and
- (c) the date of purchase.

8. Without prejudice to the voidance of this license for breach of any of the foregoing conditions, it shall be void if—

- (a) the licensee dies, or
- (b) any weapon covered thereby—
 - (i) is sold, or
 - (ii) is attached in execution of a decree.

SCHEDULE VII—*contd.*

FORM No. XVIII —(Rule 29.)

FREE OF ALL FEE.

License for the possession of arms and ammunition and for going armed, for the destruction of wild animals doing injury to crops or cattle.

Name, description and residence of licensee.	Name and description of ARMS AND AMMUNITION. any member of the licensee's family, or servant employed to watch crops or cattle, residing with him, by whom the arms covered by this license may be also used	Description	Quantity.	Place or tract within which the license is valid.	Period for which the license is valid
					From———
					To———

The

Magistrate of the—

Conditions

1. This license is granted subject to all provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules.

2. The licensee shall not go armed with any arms covered by this license otherwise than in good faith for the destruction or driving away of wild animals which do injury to the crops or cattle situated in the area specified in the license.

3. The licensee shall not use any arms covered by this license otherwise than in the place or tract in which the license is valid.

4. He shall not lend any arms or ammunition covered by this license to any person, other than a *bond fide* member of his family, or servant who may be employed by him to protect the crops or cattle situated in the area specified in the license and who is mentioned in column 2 of the license.

5. He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by this license.

6. The licensee shall not keep Government arms or ammunition.

Explanation.—For the purpose of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

Note.—In Burma, condition 6 may be cancelled by the authority granting the license if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

7. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government.

8. The licensee, at the time of purchasing any new arms or ammunition shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely:—

(a) the name, description and residence of the person who takes delivery of the articles purchased ;

(b) the nature and quantity of the articles purchased, and

(c) the date of purchase.

9. This license shall be void if the licensee commits a breach of any of the above conditions or if the licensee dies, or if any weapon covered thereby—

(i) is sold, or

(ii) is attached in execution of a decree.

4. The licensee shall, at the time of purchasing any new arms or ammunition, cause the following particulars to be endorsed upon his license under the vendor's signature, namely :—

- (a) the name, description and residence of the person] who takes delivery of the articles purchased ;
- (b) the nature and quantity of the articles purchased ; and
- (c) the date of purchase.

5. He shall not go armed with Government arms or ammunition.

Explanation.—For the purposes of this condition,—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government ; and
- (b) "Government ammunition" means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

In order to prevent the surreptitious introduction into a native State, by person licensed to go armed on a journey of arms and ammunition of a different character to which the license was granted, I am to request that in future the descriptions entered in column 3 may be as clear and minute as possible.

[(For. Dept. letter No. 798-1, dated the 20th February 1901.)]

*Government of India, Home Department,
Notification, No. 3103 (Public), dated, the 16th August 1909.*

In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), and in supersession of all previous Notifications on the same subject, the Governor General in Council is pleased—

- (a) to remit all fees payable under schedule II upon applications relating to licenses or duplicates granted or renewed under the Indian Arms Rules, 1909, other than licenses or duplicates of the nature hereinafter referred to in sub-head (b) ; and
- (b) to reduce to one anna all fees, exceeding one anna, payable under the said schedule upon applications relating to licenses or duplicates granted or renewed under the said Rules in respect of which—
 - (i) no fee is payable under the said Rules, or
 - (ii) the fee payable under the said Rules has been collected in full.

APPENDIX I.

LOCAL RULES AND ORDERS.—MADRAS.

Vide notes to section 6, 13, 23, and 30 of the Act [pages 44, 46, 57 and 59]

1 All arms, ammunition and military stores within the Calicut, Ernad, Wala-vanad and Ponnani talukas in the Malabar District, shall be deposited with the Officer in charge of the nearest Police Station and all licenses issued for the possession or carrying of arms within the above talukas in the Malabar District are cancelled.

(G O. No. 260, dated the 30th Jan 1885 and 355, dated the 6th Feb. 1885.)

2. The exemption granted under section 27 of the Arms Act to members of local boards by G. O.'s No. 783 Judicial dated the 6th April 1880, and No. 164 Judicial dated the 24th January 1894, are withdrawn but the exemption is to continue personal to existing members of the local boards so long as they remain such.

(G O No. 724 dated the 24th April 1895.)

Vide also note (3) to rule 23, [page 77]

3. Guns, imported from and exported to Pondicherry, without a license, are liable to be detained by the Custom Officers. They should in all such cases submit a detailed report to the Circle Inspector. All cases of smuggling of arms, ammunition and military stores should also be reported for the orders of the Circle Inspector.

(2). In order that a fire-arm covered by a license may be identified with the one described in the license, its description should be as full as possible. "One double barrelled gun," for instance, without the maker's name and number or other identifying marks, is insufficient to describe the weapon in such a manner as to preclude the possibility of all attempts at fraud by the substitution of one gun for another, for any number of guns can be imported from the French territory with such a license. The weapons of respectable sportsmen should not, however, be detained merely on this account. Should the description of the weapon given in the license be defective, full particulars should be reported to the District Magistrate, through the Officer in charge of Land Customs, with a view to the defect being remedied.

4. A license is required for transport even within the confines of the same district.

(G O No 3232, dated the 6th Dec. 1883 and No 2551, dated the 7th Oct 1884.)

No license, however, is necessary for the removal of ammunition from one magazine or warehouse to another in the same locality.

(G. O. No. 2457, dated the 27th Nov 1883.)

5. Conveyances and baggage belonging to passengers are liable to be stopped and searched at Sayer stations for arms, ammunition and military stores. In carrying out this duty the notification of exemption and the rules under the Arms Act, so far as they relate to the transit of arms, ammunition and military stores, should be followed by the officers of the Land Customs Stations.

6. The following are a few of the special exemptions under the Arms Act:—

(a). Guns brought to British India by the European Residents of the French settlements of Pondicherry, Karikal or Mahe are exempt from import duty, provided that the guns are covered by a pass issued under the authority of the Government of the Settlement from which they are brought, and countersigned by a British Magistracy certifying that the holders are entitled to carry the guns for sporting purposes.

G. I. Notification in Boards Proceedings No. 267 dated the 21st June 1893.)

Note—Ammunition belonging to French sportsmen which, in the opinion of the Sayer staff, is being taken in un-reasonable quantities should be brought to the notice of the Collector.

- (b). The provision of Chapter IV of the Indian Arms Act, XI of 1878, cannot, as a matter of courtsey, be enforced in the case of the French Military and Police Officers, when passing the Tindivanam, Villupuram and Cuddalore taluks, nor customs duty be demanded at the Sayer stations in respect of arms which such Officers are entitled to carry in French Territory.

(G O No. 175, Judicial, dated the 25th January 1895.)

- (c) French native subjects are, for the purposes of sport or protection, allowed to carry with them across the frontier guns on payment of import duty, when holding gun licenses, granted by the District Magistrate of the District concerned. Such duty is liable to be refunded under G. O. No 2553, Judicial, dated 16th December 1891, on a report from the French Government that the gun on which import duty was paid has been re-exported

7. Under section 16 of the Indian Arms Act, 1878 arms the possession of which has become unlawful in consequence of the cancellation or expiry of a license are required to be deposited without unnecessary delay with the officer in charge of the nearest Police station. The question has been raised whether, in view of the fact that the owner of a weapon so deposited is not lawfully in possession of it, he can, under section 5 of the Act, sell the weapon to any person who is not prohibited from possessing it. It appears to the Government that the license in Form XV of the Indian Arms rules, 1909, is designed to meet this difficulty. This license allows a person to possess a weapon but not to use it, and in cases where it would be unfair to confiscate a weapon such licenses should be freely issued. When therefore District Magistrates and the Commissioner of Police find it advisable to cancel, or refuse renewal of, licenses in Forms XVI, XVII, XVIII, and XIX they should, if the owner of the weapon desires, usually allow him to have a license in Form XV for another year to enable him to dispose of this weapon.

(G. O. No. 607, Judicial, dated the 21st April 1910)

8. The new forms of accounts for dealers in arms and ammunition prescribed in G O No 1762, Judicial, dated 17th December 1909, have been objected to on the ground that they will increase the amount of scriptory work and stationery required to keep the accounts.

9 The Government consider these objections not altogether unfounded, but it is necessary that the registers should furnish complete information not only of the purchase of any lethal weapon, but also of the identity of the various weapons in stock in order that it may be possible to trace them in case of theft. The Government are now pleased to prescribe the revised forms of stock book and sale book appended to these proceedings (Appendix I) in lieu of those prescribed by G. O., No. 1762, Judicial, dated 17th December 1909

10 The special stock book for fire-arms (Form C) is to be maintained in addition to the general stock book except by dealers who keep "rebato" book, which gives all the information specified in the form.

11. Dealers also occasionally receive arms and ammunition from persons who wish to effect their disposal, and the Government consider it necessary that all such arms and ammunition should be separately accounted for. They are accordingly pleased to prescribe an additional register in the form D appended to the order, showing receipts and disposals of such arms and ammunition.

12 Dealers in ammunition are also required to take out licenses under the Explosives Act, and the conditions of these licenses require the maintenance of stock books and sale books. The Government are pleased to prescribe the forms printed * in Appendix II to be maintained under the Explosives Act. It will be observed that the forms of stock book and sale book (Forms 2 and 3) are similar in principle to the

*Not printed in this volume

forms prescribed under the Arms Act. Dealers who hold licenses under both the Arms Act and the Explosives Act in respect of the same kinds of ammunition, or whose licenses under the Explosives Act have been endorsed to have validity under the Arms Act, need keep only the stock books and sale books prescribed under the Arms Act, provided that they contain columns to exhibit all the articles which the dealer is licensed to keep under both Acts.

13. District Magistrates and the Commissioner of Police are requested to inform all licensees concerned of these orders, and to see that the revised forms are brought into use.

APPENDIX I

FORM A.

Stock Book of _____, son of _____, resident of _____, licensed to manufacture, convert, sell, or keep arms, ammunition or military stores according to license No. _____ of 19 _____, in Form ^{XI}_{XII} of the rules under the Indian Arms Act, 1878, and license No. _____ of _____, in Form ^A_B of the rules under the Indian Explosives Act, 1884.

Date of transaction.	2	Description.																														
		Particulars of receipts and issues.												Other weapons, implements, etc																		
		Fire-arms												Ammunition																Military stores.		
		303 B L rifles.	450 B L rifles	B L rifles of bores ranging from .290 to .340 excluding 303 bore.	Other B. L. rifles.	B. L. arms (not rifled)	Muzzle-loading arms.	Revolvers	Pistols (magazine)	Swords	Arms	Implements.	303 loaded rifle cartridges	450 loaded rifle cartridges.	Loaded cartridges for rifles of bores ranging from .290 to .340 excluding 303 bore	Other loaded rifle cartridges	B L (not rifled) cartridges loaded locally.	B. L. (not rifled cartridges imported from Europe, etc)	Cartridge cases	Revolver cartridges.	Pistol cartridges.	Gunpowder.	Percussion caps	Rifles	Gun cotton	Dynamite	Sulphur.	Loaded bullets.	Loaded bird shot	Remarks	31	
1																																

NOTE —(a) Column 2 should show (i) balance in stock (ii) fresh receipts with descriptive details, such as, the name and address of the firm supplying them, and (iii) day's total issues according to sale book

(b) columns 3 to 30. —If any dealer has not a license for any of the classes of arms, etc., specified, the unnecessary columns may be omitted. If, on the other hand, he has a license for any other defined species, an appropriate column should be added. The dealer's license should be kept in the stock book for purposes of reference

14. Rules for the Maintenance of Arms License Registers and the Grant and Renewal of Licenses in Form XVI.—All District Magistrates, Taluk Magistrates and Deputy Tahsildars and Sub-Magistrates in zamindari tracts, and station-house officers will keep in Form A appended to these rules decennial registers of licenses issued under the Arms Act in Form XVI to persons residing in the areas with which they are respectively concerned. In the office of the District Magistrate a separate register will be maintained for each taluk or Deputy Tahsildar. In each taluk register the entries will be arranged by police stations and villages, the villages within the limits of each police station being arranged in alphabetical, or other convenient, order. A page or more will be allotted to each village, as may be found necessary, no village being omitted although no licensee resides therein. Entries relating to hamlets will be placed under the parent village. The page numbers of each taluk register will be consecutive throughout the register. An index of villages arranged in alphabetical order will be placed at the beginning of each taluk register. The serial number of the license will be a fraction of which the number of the page of the register in which it is registered is the numerator and the number of the line is the denominator, preceded or followed by a letter indicating the taluk (e.g. $\frac{24}{5}$). The entries in the registers maintained in subordinate offices which will be supplied in the first instance from the District Magistrate's office must therefore correspond exactly, page to page, and line to line with the entries in the register maintained in the District Magistrate's office. The District Magistrate will fix dates between the 1st and 15th January for the submission to him of each taluk register in the district.

Necessary entries will be made in the District Magistrate's office in these taluk registers relating to all licenses renewed or the renewal of which has been refused for the year just begun. The taluk register will be returned to the Sub-Magistrate with as little delay as practicable. About the 1st of the second month of each quarter each station-house officer will take or send his register to the Taluk or Deputy Tahsildar's office, as the case may be, have it checked with the register maintained in that office, corrected and brought up to date. All officers of the Police Department, of an above the rank of Inspector, will inspect the police station register at every inspection of the station and see that it is properly maintained.

15. At the end of each register, maintained in the office of a District or Taluk Magistrate or Deputy Tahsildar, and at a police station, an abstract will be made in Form B showing the number of weapons of each kind licensed in the taluk or station. A fresh abstract will be opened at the beginning of each year by counting the licences already granted or renewed for the year by the 1st January. Whenever an alteration is made in the body of the register, either by reason of the grant of a new license or the cancellation of or refusal to renew an old license, a corresponding entry will be made in column I of the abstract by quoting the register number of the license, preceded by a + sign in the case of a new license and a — sign in the case of a cancellation of or refusal to renew a license; the necessary entries in columns II, III and IV of the abstract will be made whenever a line in column I is complete: the net total should then be struck in column II of the abstract.

16. Applications for new licenses may be sent to the District Magistrate or to the Taluk Magistrate or the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts, or to the station-house officers. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Applications received by the District Magistrate direct will be sent to the Taluk Magistrate or to the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts for report. Taluk Magistrates and Sub-Magistrates in zamindari tracts will forward to the Police for report only the applications which they receive, direct or through the District Magistrate, from individuals whose character, status or reputation is unknown or doubtful; they will submit all others to the District Magistrate direct with their own reports. Station-house officers will forward their reports on applications for new licenses to the District

Magistrate through the Police Inspector and the Taluk Magistrate or the Sub-Magistrate in zamindari tracts. Taluk Magistrate or the Sub-Magistrate in zamindari tracts will see that the correct names of the village, hamlet (if necessary) and Police station within whose limits the village is situated are correctly entered in the application before submitting it with his report to the District Magistrate.

Applications for renewal of licenses should be submitted early during the last quarter of the year preceding that for which the renewal is desired, as all weapons for the possession of which renewed licenses have not been issued by the 1st January must be deposited in the police station. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Each application should be accompanied by the license and may be sent either to the District Magistrate direct or to one of the other officers mentioned in rule 3. Subordinate Magistrates and police officers, who may receive such applications, should submit them at once without remark (unless some reason for refusing renewal is already known to them) to the District Magistrate direct.

17. District Superintendents of Police will issue instructions to their subordinates to report at once any information which may indicate that the renewal of any license is undesirable. About the end of September in each year the Superintendent of Police and Taluk Magistrates and in zamindari tracts Deputy Tashildars and Sub-Magistrates will supply the District Magistrate confidentially with any information which would appear to render the renewal of any existing license inexpedient.

18. Licenses will be issued in printed form in the vernacular. If the District Magistrate grants, renews, or declines to renew, a license, he should send the license or order to the licensee either—

- (i) through the post service paid, the nature of the contents being clearly noted on the cover in the vernacular (e.g., "license for the possession of a gun"), or
- (ii) through the Taluk Magistrate, or the Deputy Tashildar and Sub-Magistrate in the zamindari tracts, or
- (iii) through the officer in charge of the nearest police station

If the District Magistrate, on an application for a new license, refuses to grant the license, the order of refusal should be forwarded to the applicant through the Taluk Magistrate or Sub-Magistrate in zamindari tracts for the information of that officer.

If the license or order sent by post is returned through the Dowd Letter office, it should be sent out for delivery to the addressee through the local Taluk Magistrate or Deputy Tashildar and Sub-Magistrate or the officer in charge of the nearest police station.

19. At the close of each month the District Magistrate will forward to the Subordinate Magistrates concerned lists of the licenses granted, renewed, cancelled or the renewal of which he has refused during the month in the Forms C and D. Licenses renewed for the year following that in which the lists in Form C are sent need not be shown in the list. Licenses the renewal of which is refused for the following year should be included in the lists in Form D. In order that action may be taken to see that the arm covered by the license is not retained illegally by the licensee after the close of the year. If a license is not renewed, the District Magistrate will state in the last column of the list in Form D the reason for non-renewal (such as the death of the licensee, the transfer of the weapon by sale, gift or otherwise, etc.) and should see that the weapon is not retained by any person who is neither exempted from the operation of the India Arms Act in respect of such weapon nor licensed to possess it.

20. Not later than the 15th January of each year the District Magistrate will forward to the Superintendent of Police (in Form E appended) lists of licensees who have not applied before the 1st January for the renewal of their licenses with the request that he will ascertain and report the causes of the omission, whether the arms have been deposited in the police station, and whether a prosecution has been instituted in the each case in which the arms were not duly deposited in the

police station, a separate list will be sent for the village in each police station. The list should be returned to the District Magistrate's office not later than the 15th March by the District Superintendent of Police with his report and recommendation whether the unrenewed license should be renewed or not.

21. When the taluk registers are submitted to the District Magistrate under rule (1), the District Magistrate will have them compared with the register maintained in his office, so far as the entries relating to the previous year are concerned, and corrected, if necessary. Before the abstracts in the registers maintained by subordinate officers are compared with the abstract of the register maintained in the District Magistrate's office, the figures in the latter should be verified by counting the outstanding entries in the body of the register. The District Magistrate will include in his annual report brief remarks regarding the maintenance of these registers throughout his district. For this purpose the District Superintendent of Police will report annually not later than the 1st February to the District Magistrate on the maintenance of the registers by station-house officers during the previous year.

22. The following are the powers and duties of all police officers under the Act :—

- (1) To arrest any person found carrying or conveying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances, as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose ;
- (2) To take such arms, ammunition or military stores from him ;
- (3) To take without unnecessary delay such person's arms, ammunition and military stores before a magistrate (section 12) ;
- (4) To disarm any person going armed without a license or in contravention of the terms of a license (section 13)

The last-named person commits an offence under section 19 (e) which is cognizable. He may, therefore, be arrested, but this should not ordinarily be done unless the circumstances require it. The case will be reported to the magistrate having jurisdiction and a process obtained.

23 (1) The offences detailed in sections 19 and 20 are cognizable

(2) The District Magistrate's sanction is requisite to a prosecution under section 19 (f) (section 29)

(3) Under section 28 all persons are bound to give information of offences under the Act, which comes to their knowledge.

24. (1) Persons (whether licensed or not) are forbidden to go armed in railway carriages, to fairs, religious processions or other public assemblies, unless specially authorised by the officers granting the licenses.

(2) Exemption of Police Officers *Vide* note (14) to Schedule I —[Page 102]

(3) Head constables and constables carrying arms in performance of their duty — (*Vide* note (14) to Schedule I on pages 102 and 103).

(4) Under section 23 of the Arms Act, licensed dealers in arms and ammunition are bound to ascertain that the persons to whom they sell arms, ammunition or military stores are legally authorised to possess the same. Any tendency on the part of dealers to evade this obligation should be checked by the Police by their constant strict supervision over the trade in arms and ammunition. The Police should also exercise constant vigilant supervision over the registers maintained by licensed dealers in order to ensure that arms and ammunition are not sold to persons other than those legally authorised to possess the same. If on inspection, they find that arms and ammunition are supplied to persons whose exemption seems to be doubtful, they should take steps to ascertain whether such persons are really exempt from the provisions of the Arms Act, and, if not to report the matter to the District Magistrate. In doubtful cases of sales to persons said to possess licenses under the Arms Act Rules, a reference to the registers maintained in police stations will show whether the purchasers are *bona fide* licensees or not. — (*Vide* also note to Section 22 of the Act on page 56.)

Village

FORM A.

Register Number Page Number Lane	Residence of Licensee (Hamlet)	Name		Nature of the Arms	Number of Arms,	Date of Renewal, Grant, Cancellation or Order refusing Renewal of License for the year.—										Remarks showing disposal of Weapon, if License is not renewed
		Of Licensee	Of his Father			7	8	9	10	11	12	13	14	15	16	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Note.—In column 5, R.—Rifle, G.—Smooth bore gun, M.—Magazine, D B.—Double-barrelled S. B.—Single-barrelled, B L.—Breach-loading,
M L.—Muzzle-loading percussion cap, Ma L.—Match-lock, F L.—Flint-lock, Re.—Revolver, P.—Pistol, B.—Bayonet, S.—Sword, D.—Dagger.

FORM C.

Proceedings of the District Magistrate of _____, dated _____
No _____ of 19 _____

The District Magistrate of _____ has been pleased to grant licenses for the year 19 _____—19 _____, under the Indian Arms Act to the following individuals residing in the Taluk _____ of _____ for the weapons specified against their names.

2. The Taluk Sub-Magistrate of _____ is requested to cause the necessary entries to be made in his copy of the register of licenses under the Indian Arms Act. The number and date of this order should also be entered in red ink in the appropriate column under the heading "Date of renewal, grant, cancellation or order refusing renewal."

Page Number.	Line Number.	Village and Hamlet	Licencee's Name.	Father's Name.	Nature of the Arm.	Number of Arms.	Police Station and Circle.
1	2	3	4	5	6	7	8

NOTE.—(1) The entries in columns 3, 4, 5, 6 and 7 above should be neatly copied in the appropriate column of the License Register on the page specified in column 1 and in the line noted in column 2.

(2) In column 6, R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D B.—Double-barrelled, S B.—Single barrelled, B L.—Breech-loading, M. L.—Muzzle-loading percussion cap, Ma. L.—Match-lock, F L.—Flint-lock, Re.—Revolver, P.—Pistol, B.—Bayonet, S.—Sword, D.—Dagger.

FORM D.

Proceedings of the District Magistrate of _____, dated _____
No _____ of 19 _____

The District Magistrate of _____ has cancelled or refused to renew for the year 19 _____—19 _____, the licenses issued under the Indian Arms Act to the following individuals residing in the Taluk _____ of _____ for the weapons specified against their names.

2. The Taluk Sub-Magistrate of _____ is requested to cause the word "cancelled" to be neatly written in red ink in the register of licenses issued in Form XVI against each license mentioned below immediately after the last "Renewal" entry. The entry in the "Remarks" column below should also be noted after the word "cancelled" with the number and date of this proceeding.* A red ink line should also be drawn through the entries in the register relating to the license.

Page No	Line No.	Village and Hamlet.	Licencee's Name	Father's Name.	Nature of the Arm.	Number of Arms.	Police Station and Circle.	Remarks (Reason for cancellation and disposal of weapon)
1	2	3	4	5	6	7	8	9

* E. G.—"Cancelled—Died, L. C. Dis No. 1-1904"; "Cancelled—weapon sold, L. C. Dis. No. 2-1904"; "Cancelled—Unrenewed, L. C. Dis No. 3-1904", etc., etc.

NOTE.—In column 6, R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D. B.—Double-barrelled, S. B.—Single-barrelled, B. L.—Breech-loading, M. L.—Muzzle-loading percussion cap, Ma. L.—Match-lock, F. L.—Flint-lock, Re.—Revolver, P.—Pistol, B.—Bayonet, S.—Sword, D.—Dagger.

List of Persons who have not applied for the Renewal of their Licenses in Form XVI in Division, Taluk, District for the year 19 , on or before the 1st January 19 .

Name of the Village and Hamlet if any.	Number and name of Licensees who has not renewed his License.	Father's name.	Nature of Arms	Number of Arms.	Police Inspector's Report as to the cause of omission of Renewal of License in each case.	Remarks.	Order of District Magistrate.
1	2	3	4	5	6	7	8

NOTE.—In column 4, R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D. B.—Double-barrelled, S. B.—Single-barrelled, B. L.—Breech-loading, M. L.—Muzzle-loading percussion cap, Ma. L.—Match-lock, F. L.—Flint-lock, Re.—Revolver, P.—Pistol B.—Bayonet, S.—Sword, D.—Dagger.

25. Station-House Records and Returns. (1) A register of licenses granted under the Arms Act shall be maintained in every station. Rules for its maintenance and the grant and renewal of licenses are given on page 8 164—165. This register will be supplied by the District Magistrate.

A translation of rules 16, 17 and 18 in the vernacular of the district shall be hung up in the station.

(2) The station License Register shall be taken to the Taluk clerk who keeps the register.

26. Rules to Regulate the grant and Renewal of Gun Licenses under the Indian Arms Act. Applications for new licenses may be sent to the District Magistrate or to the Taluk Magistrate or the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts, or to the station-house officer. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Applications received by the District Magistrate direct will be sent to the Taluk Magistrate or to the Deputy Tahsildar, and Sub-Magistrates in Zamindari tracts will forward to the Police for report only those applications which they receive, direct or through the District Magistrate, from individuals whose character, status or reputation is unknown or doubtful, they will submit all others to the District Magistrate direct with their own reports. Station-house officers will forward their reports on applications for new licenses to the District Magistrate through the Police Inspector and the Taluk Magistrate or the Sub-Magistrate in Zamindari tracts. The Taluk Magistrate or the Sub-Magistrate in Zamindari tracts will see that the correct names of the village, hamlet (if necessary) and Police station, within whose limits the village, is situated, are correctly entered in the application before submitting it with his report to the District Magistrate.

27. Applications for renewal of licenses should be submitted early during the last quarter of the year preceding that for which the renewal is desired, as all weapons for the possession of which renewal licenses have not been issued by the 1st January must be deposited in the Police Station. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the Public. Each application should be accompanied by the license and may be sent either to the District Magistrate direct or to one of the other officers mentioned in rule 26. Subordinate magistrates and Police officers who may receive such applications should submit them at once without remark (unless some reason for refusing renewal is already known to them) to the District Magistrate direct.

Vide para. 18 on page 165.

Form No. 17
Report of the Inspection held by the Inspector of Police of
declared under Rule 31 of the Rules under the Explosives Act to have been licensed under the Arms Act, for quarter ending-

1	Name of Licensee and Date of Inspection.	2	Place of Business.
3	Number and Date of License and the Form in which it is granted.	4	Description of Arms, Ammunition or Explosives.
	Sulphur ...		
	Shot ...		
	Caps ...		
	European gunpowder .		
	Country gunpowder ...		
	Blasting powder ..		
	Fire-works ..		
5	Quantity licensed to be possessed at one time	6	Quantity licensed to be possessed for the whole year
7	Balance on hand on 1st January in the shop and the Magazine.	8	Manufactured or received from 1st January to date of Inspection.
9	Sold from 1st January to date of Inspection	10	Balance on hand on Date of Inspection in the shop and the Magazine.
11	Whether accounts Nos 1, 2 and 4 are properly kept	12	Remarks, noting whether a quantity in excess of License was ever maintained.

19. }

Inspector of Police,
Circle.

Report of Inspection of Stock, Premises and Books of Persons licensed under the Indian Arms Act in Forms XI, XII, XIII, XIV to manufacture, convert, keep or sell Arms, Ammunition or Military Stores (G. O. No. 1453, Judicial, dated 30th September 1882.)

Name, Father's Name and Residence of Licensee.	Date and Form of License.	Place of Business.	Date of Inspection by Superior Officer of Police.	Remarks.
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Superintendent of Polioc.

Form No. 79.

1	Serial Number.	
2	Date	
3	Particulars of Arms.	
4	By whom deposited or from whom taken	
5	Village.	Residence
6	Taluk.	
7	Signature of Station house officer, owner, and a witness when Arms are deposited.	
8	If License obtained, when.	
9	If License not obtained how were Arms disposed of.	
10	Designation of Magistrate passing order.	
11	Signature of owner for return of Arms, with date.	
12	Signature of Station-house officer, and date of disposing of Arms.	

On label outside. Register of Arms Deposited.

28. Disposal of confiscated arms.—All arms, ammunition or military stores which may be forfeited or confiscated, under the Sea Customs Act or under other legal enactments, should be forwarded in the Presidency town to the Commissioner of Police, and in the mufassal to the Magistrate of the district, for disposal in accordance with the rules published on page 22 of Part I of the Madras Police Gazette, dated 13th February 1909. Such of these arms as are intended for destruction locally will be forwarded to the District Police Head-quarter office for destruction by the Police Armourer in the presence of the Reserve Inspector who should certify to the Magistrate that the arms have been properly broken up.

29. Reports on thefts or losses of arms or ammunition.—(1) Information shall be promptly reported by telegraph from district police offices to the Personal Assistant to the Inspector-General of Police, North-West Frontier Province, and the Deputy Inspector-General of Police, Criminal Investigation Department, Punjab, of all thefts, losses or recoveries of—

(a) Rifles and pistols, Government or Private ;

NOTE.—This includes private revolvers which do not take Government ammunition.

(b) Lee Metford or Lee Enfield bolts and .303 rifle barrels.

NOTE.—Military officers commanding detachments have instructions to report losses to the police.

(2) Post copies of these telegrams will be sent to the Personal Assistant to the Deputy Inspector General, Criminal Investigation Department, Madras, who will forward a copy of them to the Director of Criminal Intelligence, Simla.

(3) The telegram should contain the following details —

(i) Number and marks showing the identity of the weapons or components
In the case of police weapons the description noted in the Register of Government Property (vide O M O. No 359) should be given.

NOTE.— The number of the bolt in addition to that of the rifle should be given in the case of theft, loss or recovery of rifles with bolts.

(ii) Place of occurrence. (iii) Date of occurrence. (iv) Name of the person from whose possession lost or, in the case of soldiers or volunteers, the number and name of the corps. (v) How lost.

(4) A report will be made by post from district police offices to the Personal Assistant to the Inspector-General of Police, North-West Frontier Province, and the Deputy Inspector-General of Police, Criminal Investigation Department, Punjab, of all thefts, losses and recoveries of —

(i) Ammunition for cannon, rifles and pistols, (ii) Fuses, (iii) Dynamite.

(iv) Cordite, and (v) Other high explosives.

NOTE.—Theft, loss or recovery of empty rifle cartridge cases in large numbers should be treated as those of ammunition for rifles and reported.

The report will, however, be made *by telegraph* if there is *prima facie* evidence or reasonable suspicion of a recent theft.

In either case a copy of the letter or telegram will be sent by post to the Personal Assistant to the Deputy Inspector-General, Criminal Investigation Department, Madras, who will forward a copy of it to the Director of Criminal Intelligence, Simla.

(5) No report need be made to the Personal Assistant to the Inspector-General of Police, North-West Frontier Province, and the Deputy Inspector-General of Police, Criminal Investigation Department, Punjab, nor to the Personal Assistant to the Deputy Inspector-General, Criminal Investigation Department, Madras, of the disappearance of smooth-bore weapons, ammunition for such weapons, swords, bayonets or accoutrements.

(6) Notices of the loss, theft and recovery of arms and ammunition, capable of use for military purposes should be sent in every instance to the Criminal Investigation Department office for publication in the Criminal Intelligence Gazette.

(7) Notices of loss of arms ammunition, not capable of use for military purposes, should only be sent for publication when likely to be useful.

(8) The telegraphic address of the Deputy Inspector-General, Criminal Investigation Department, Punjab, is "Cid Punjab"

LOCAL RULES AND ORDERS.—BOMBAY.

Vide notes to sections 13 and 15 of the Act [pages 46 and 47.]

All the District Superintendents and Assistant Superintendents of the Police are authorized to exercise in their respective districts the powers specified in sections 15 and 31 of the Act 14,

Countersignature of licenses—vide note (4) to rule 27 [page 81.]

2. The Governor in Council is pleased to republish Government notification No 1112 dated 19th February 1878, with the additions attached to it by Government resolution No 4378, dated, the 13th August 1890 :—

It is hereby notified, for general information that the provisions of Act XXXI of 1860 (relating to the manufacture, importation and sale of arms and ammunition and for regulating the right to keep and use the same, and to give the power of disarming in certain cases) as modified by Act VI, of 1866, are in force in the following places, districts and portions of districts :—

Town and Island of Bombay.

Districts of Ratnagiri, Poona, Ahmednagar, Satara, Belgaum. Dharwar.

District of Sholapur, in the following talukas only :—

(a) Pandharpur, (b) Sangola.

District of Bijapur (lately Kaladgi), in the following talukas only :—

(a) Bijapur, (b) Bagalkot, (c) Badami, (d) Hungund

Kanara, in the following talukas only :—

(a) Supa, (b) Yellapur, (c) Karwar, (d) Sirai, (e) Siddapur.

Nasik, in the following talukas only :—

(a) Nasik, (b) Igatpuri, (c) Dindori, (d) Sinnar, (e) Niphad, (f) Yoola, (g) Chander.

2. And that the provisions of Act XXXI of 1860 (relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same, and to give the power of disarming in certain cases), as modified by Act VI of 1866, are, with the exception of the several clauses of section 32, which apply to the disarmament of any district, in force in the following districts and portions of districts.—

The Province of Sind, *vis*, the districts of Karachi, Hyderabad and Shikarpur. Thar and Parker and the Upper Sind Frontier.

Districts of Ahmedabad, Surat, Broach, Kaira, Panoah Mahals, Thana, Kolaba.

District of Nasik in the following talukas only :—

(a) Malegaon, (b) Nandgaon, (c) Baglan, (d) Kalvan.

District of Kanara, in the following talukas only :—

(a) Kumta, (b) Honavar.

District of Kaladgi, in the following talukas only :—

(a) Indi, (b) Sindgi, (c) Muddebihal, (d) Dagoradi.

District of Sholapur in the following talukas only :—

(a) Sholapur, (b) Barsi, (c) Madha, (d) Karmala.

Peint Taluka in the district of Nasik.

(Notn. No. 391, dated the 18th Jan. 1893 and Notn. No. 3225, dated the 12th Dec. 1893.)

3. His Excellency the Governor in Council is hereby pleased to authorize the Commissioner of Police in Bombay and the District Magistrates (including the Agent to the Governor in the Panch mahals, the Political Superintendent, Thar and Parkar, and the Superintendent, Upper Sind Frontier) to pay a reward of not less than half the value of articles confiscated under Section 24 of Act No. XI of 1878 (The Indian Arms Acts) to the Customs officers, railway servants, of Public carriers, Police officers, steam-boat officers, or other persons, who may have given information which led to the detection of the offence, or who may have given information which led to the detection of the offence, or who may have arrested the offenders or seized their arms under Section 12 of the said Act.

Notfn. No 5920, dated the 12th Octr. 1878, (p. 633 of the B. G. G. for 1878, Pt. I.)

Katyars.—Vide note (5) to Schedule II, [page 120].

4. There are no sufficient reasons for granting the exemption applied for (in respect of Katyars) in the districts of Ratnagiri and Nasik, but in the opinion of Government the necessities of such cases can be met, if District Magistrates arrange for Chief Constables to keep a certain number of these daggers and to issue them, either gratis or an payment of a small fee, for use in marriage processions.

(Resn. No. 8121, dated the 8th Novr. 1897).

For Extracts—paras. 686 to 693—from the Army Regulations—vide pages 99-101.

5. Officers are prohibited from giving rifles to natives whose homes are situated on or near the N.W. Frontier.—No Non-Commissioned Officer or Soldier on discharge may be granted a pass to carry any weapon. If he has in his possession at the time of his discharge any weapon to which he is lawfully entitled under the Arms Act, he must on taking his discharge, if his home is situated within the limits of British India, obtain from the Magistrate a license for the same. If his home is situated beyond the limits of British India, he must obtain from the Magistrate an export license.

(Resn. No. 5731, dated the 12th August 1892.)

6. Passes to carry arms and ammunition, under the Indian Army Regulations, to Sepoys and Native Officers of British Army in the colonies when returning to India have no validity, as the regulations in question are applicable only to the Native Army in India.

(Resn. No. 6108, dated the 5th Sept. 1894.)

7. Instructions of the Government of India regarding grant of permits and passes to subordinates to carry arms.—A case was brought to the notice of the Government of India in which a soldier of the Native Army, employed under a Civil Department purchased a rifle in British India and obtained, from the Officer of the Department under whom he was serving, an informal pass or permit with the object of smuggling the rifle across the N.-W. Frontier.

Paras 1727-29 of Vol. II, A. R. I., permit a Commanding Officer to give passes to soldiers proceeding on furlough from a regiment. But no other authority is empowered to grant a pass to a Native Soldier any more than to any person, and a Native Soldier serving away from his regiment can only obtain authority to possess a gun or rifle by applying to the Magistrate for a license under the Arms Act in form XIX.

Heads of Departments and the officers serving under them should, therefore, note that they have no authority to grant permits or passes to their subordinates to carry arms not required by them for the execution of their duty and referred to as such in the exemptions granted under Schedule I of the I. A. R., 1909.

(Resn. No. 7939, dated the 14th Nov. 1895).

8. Transport of arms and ammunition into British District.—An instance having occurred in which a license granted by Government could not be traced on the records of the office of a district Superintendent of Police, and apparently the

District Magistrate had nothing on his records to show that the consignment covered by that license ever reached its destination, Government ruled as follows :—

“It is in the opinion of Government of the utmost importance that the head of a district should know at any time without difficulty the amount of arms and ammunition entering his district and whether a consignment reaches its destination. If a duplicate copy of the license were sent to and returned by the District Superintendent of Police under his signature when a consignment reaches the consignee, all doubt on this point would be removed. It is possible that similar difficulty in checking imports might be experienced as regards other districts, and it is desirable that an accurate and readily verifiable check should be kept in future on the movement of arms and ammunition.”

The control of imports of ammunition into British districts rests primarily with the District Magistrates and he should carefully maintain a register of permits issued and a register of licenses received. These should be periodically examined and compared, and from them the District Magistrate will be able to satisfy himself at any time that the trade is being kept within due bounds.

(Resn. No. 4508, dated the 4th July 1896).

9. Orders regarding the disposal of firearms and ammunition by officers of Government.—Cases have occurred in which officers have sent rifles and rifle ammunition to be put for public auction and have allowed them to be so disposed of to persons not entitled to possess them. Severe notice will be taken of any such culpable negligence on the part of officers. They are warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

(Resn No 3069, dated the 2nd May 1900).

10. All officers of Government whose duty it may be to conduct sales of arms should satisfy themselves before the confirmation of the sales, by a reference to the District Magistrates, that the purchasers are entitled to possess such arms; and auctioneers should be warned against selling arms and ammunition to persons not legally entitled to possess them.

The duties of licensed vendors and private individuals in this respect are laid down in Section 5 of the Indian Arms Act, 1878, and the attention of all heads of offices is drawn to the provisions of the law.

(Circ. No. 2823, dated the 2nd May 1901).

11. Procedure to be observed in dealing with cases of illicit trade in arms and ammunition which is carried on by means of the Post office between Hong Kong and India.—The Customs authorities at Madras, Bombay, Calcutta and Hongkong should examine carefully all consignments from Hong Kong and communicate at once with the Commissioner of Police in the event of any arms or ammunition being discovered.

If the case appears to the Commissioner of Police not to be one connected with the trade above referred to, and not to be of a serious nature, the existing procedure should be followed, viz, notice should be issued by the Collector of Customs to the consignee to show cause why the consignment should not be confiscated, but the Commissioner of Police should also communicate with the Police of the district of the addressee. The final action of the Collector of Customs should be determined in communication with the Commissioner of Police.

If, however, the case appears to the Commissioner of Police to be connected with the trade, or to be of a serious nature the goods should be allowed to reach their destination without any warning being given to the consignee or his agent; information being sent at the same time to the local Police of the district of the addressee, so as to give them the opportunity of prosecuting under the Indian Arms Act. In this way it should be possible to bring home the offence to the consignee, if he has contravened the provisions of that Act and Rules made under it. The conduct of cases in

which an offence appears to have been committed in India, should always be undertaken by the Police.

(Resn. No. 7573, dated the 6th Novr. 1900).

12. Marking and numbering of all licensed guns which do not bear the maker's name and legibly stamped number thereon.—Suitable arrangements should be made by the District Magistrate for the marking and numbering of all such guns. The cost of the necessary tools should be met by a reappropriation of funds, the previous sanction of Government being applied for in each case.

The Registers at present maintained for licensed guns should be in the prescribed standard forms.

(Resn. No. 3231, dated the 20th May 1901).

NOTE. Police officers should make it a duty to see that the conditions printed on back of all licenses, they are empowered to examine, are observed by the license holder.

See conditions no. 7 of license form XVI page 152.

Resn No. 5952, dated the 31st Aug. 1900.

13. Volunteers.—(1) Section 1 (b) of the Indian Arms Act exempts a public servant's or volunteer's public arms from the operation of the Act, and that the exemption in the Rules issued under that Act apply to other arms in the possession of enrolled volunteers.

(Resn No 7756 dated, the 20th Novr. 1894).

14. An overseer or village postman, who, under instructions from his superior, carries the necessary weapon "in the course of his duty" as overseer or postman, is protected by Section 1 (b) of the Indian Arms Act from the prohibitions of the Act, and any special exemption of these officers appears to be unnecessary.

(Resn. No. 8945, dated the 11th December 1904)

Power of disarming persons under section 13. See notes to Section 13 of the Act [page 46.]

15. It is notified, for the information of the officers concerned that the annual publication of the revised list of persons exempted under clauses (14) (18) (b) so far as it relates to the members of the Talpur family in (Sind) and (15) (a) of Schedule I of the I. A. Rules 1909, from the operation of certain sections of the I. A. Act, will be discontinued. These lists will, in future be published quinquennially, but in the interval such additions to, or erasures in, the existing lists as may be recommended specially, will, if approved, be separately notified.

Resn No 8306, dated the 4th December 1899.

16. All recommendations for exemptions from the Indian Arms Act and all proposals for any alterations rendered necessary by deaths, misconduct or other causes in the list of persons exempted from the operation of the Act should in future be submitted so as to reach Government by the end of June in each year. The recommendations should be collated in the Commissioner's Offices, and divisional Reports with the Commissioner's recommendations submitted by the date fixed.

Govt. of Bombay No. 4936, dated the 17th July 1900 and No. 1142, dated 18th Feby. 1901.

17. Soldiers of the Imperial Service Troops.—proceeding on furlough are not exempt from the operations of the Arms Act but in the case of pensioned non-Commissioned Officers of the troops the Government of India desire that the executive orders already issued in favour of their exemption should continue to apply to those who have already taken there pension or who may hereafter do so.

Resn. No. 3971, dated the 14th July 1909

18. Persons who may be in illicit possession of arms and ammunition, which are the property of Government, should be prosecuted under the provisions of the Indian Arms Act.

(a) To prove that such arms and ammunition are the property of the State, all Government arms and small arm and machine gun ammunition whether manufactured in England or in India will be stamped with a recognisable Government mark. Similarly Government arms which have been sold or given away

will be suitably marked so as to show that they have ceased to be the property of Government.

(Resn. No. 4723, dated the 8th July 1896.)

(b) On the method of showing the marks on Government small arms and machine gun ammunition and arm—see Government Resn, Judicial Department, No. 5110 dated the 6th Aug. 1901.

19. The Local Government has been authorised to allow the importation, without import license and without fee, Mauser and Bergmann pistols which are certified to form part of the regular equipment of officers in the Civil Department.

(Resn. No. 2326, dated the 2th May 1901.)

20. (1) **Lead Cutting swords**—vide note (4) to schedule II [page 120.]

(2) **"Giffard Carbonic Acid Gas Guns"**.—Should be treated as arms under the Arms Act requiring licenses for their possession by unprivileged persons.

(Resn. No. 6918, dated the 13th Oct 1894)

(3) **Amorces**.—are excluded from the operation of any prohibition or direction contained in the Indian Arms Act.

(Resn. No. 2841, dated the 13th Apl. 1896.)

21. With refrence to clause (14) of Schedule I it has been ruled that **Police Escorts of marriage parties** of a Native State are not to be considered as travelling "on duty" in British territory.

(Resn. No. 6253, dated the 2nd Sep. 1895.)

22. In cases where armed travellers from the Hyderabad State are proceeding direct, either to Bombay or to same station on the external frontier of India, a license in form XIX granted by the Resident at Hyderabad shall cover the entire journey to the point of departure from British territory.

23. With regard to clause (14) of Schedule I the number of **retainers** exempted has been fixed for **Rewa Kantha** under the following.

(Resn. No. 261, dated the 12th Jany. 1893)

The Political Agent proposes to fix the retinues under para. I, cl. (7) of H. D. notfn. No. 518 dated the 6th March 1879, for whom exemption may be granted His scale is reasonable and may be sanctioned, but it appears to Government that in each case a written permission should be accorded, since otherwise British officers who have to enforce the Arms Act in British territory will not know whether the persons claiming the exemption are entitled to it,

List showing the names of Ruling Chiefs in the Rewa Kantha Agency.

No.	States and Talukas.	Name of Chief.	Number of retainers.	Remarks.
1	Rajpipla	Maharana Shri Gambhuranji	20	
2	Chhota Udepur	Maharwal Shri Motisingji	10	
3	Devgad Bariya	Maharwal Shri Mangsingji	10	
4	Lunavada	Maharana Shri Sir Vakhatsingji, K.C.I.E.	10	
5	Balamnor	Ajam Babi Manwar Khanji	10	
6	Sunth	Maharana Shri Pratapsingji	10	
7	Kadana	Rana Chhatrasalji	5	
8	Sanjeli	Thakor Pratapsingji	5	
9	Bhadarva	Rana Fatehsingji	5	
10	Umetha	Thakor Hathisingji	4	
11	Mandva	Rana Jitasingji Khumansingji	4	
12	Sihora	Thakor Nawarsinghi Jaswatsingji	4	
13	Chhahar	Thakor Ohhatrasingji Rasasingji	2	
14	Uchad	Thakor Jitama Badharbawa	2	
15	Nasvadi	Thakor Mansingji Narpatsingji	2	
16	Sanor	Thakor Khuzalsingji Kasalsingji	2	
17	Vipur Vasan	Thakor Jitabawa Bajubhai	2	

24. Officials of Native States in the Rewa Kantha and Mahi Kantha Agencies passing through British India on duty are exempt from the ordinary prohibitions under the Arms Act, but some indication of their office and of the fact that they are passing through British territory on duty is necessary in order that the British officials may be able to give them the benefit of the exemption. This may be provided by a certificate to be furnished by the Darbars to the officials in question. But a proper check must be maintained by Political Agents upon the issue of such certificates. With this view they should be written on Government standard forms, copies of which should be supplied by the Political Agents to the Darbars as may be necessary.

The Darbars should send copies of all certificates as soon as issued to the respective Political Agents, and include in one and the same certificate all the officials who may be travelling together on the same duty.

(Govt. of Bombay No. 1447, dated the 2nd March 1895).

25. Rules for the guidance of police officers in regard to licenses under the Arms Act :—(a) Every person to whom a license to manufacture or sell arms, ammunition or military stores has been granted shall keep on account of all stock, and of all sales of arms, ammunition or military stores, in the following form :—

[illegible]

* When the arms are made over to persons exempted from the operation of the Arms Act, the

name and address of such exempted persons should be entered in column 6.

(b) In the Presidency town an Inspector specially appointed for the purpose shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor, and compare carefully the accounts with the stock in hand, at least once every month. He should report the result of every inspection to the Commissioner of Police, and will be held responsible for bringing to notice every breach of law or rule, and every irregularity which may occur.

(c) In other places Inspectors of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges, and compare carefully the accounts with the stock in hand at least once every six months. The results of such inspections shall be at once reported to the District Magistrates through the Superintendent of Police, and the Inspectors will be held responsible for bringing to notice every breach of law, or rule or irregularity which may occur.

(d) Every Magistrate in revenue charge of talukas, and every Superintendent of Police or Assistant Superintendent of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges at least once a year, and report the result to the District Magistrate.

(e) The date of every inspection above prescribed shall be noted in the account-book of the licensed manufacturer or vendor, and authenticated with the signature of the officer making the inspections.

(2) Police Patels are heroby empowered under section 13 of the Act to disarm a person going armed without a license, but the arm of which a person is dispossessed should be forthwith sent with a report to the nearest Police station, (See also note section 13 of the Act—page 46).

26. Arms etc, deposited at a Police station under section 14 or fection of the Act should, in the Presidency town, be kept in such place as may be appointed by the Comr. of Police, and elsewhere should, without delay, be sent with a report by the Officer in charge of the Police station to the nearest Mamlatdar's or Mahalkaris Kacheri. On the expiry of the periods specified in these sections the arms, etc, should be sold under the orders of the District Magistrates to a licensed vendor or person licensed to possess arm or go armed, and may, for that purpose be sent from one Mamlatdar's or Mahalkari's Kacheri to another or to the head-quarters of the district. Such arms as cannot be so sold should, if valuable, be sent to the nearest arsenal, and if not valuable, should be broken up and sold as old iron. Such ammunition and military stores as cannot be sold, should be destroyed.

27. Confiscated arms and other articles should be dealt with in the some manner as is provided for arms, etc, deposited under Section 14 or Section 16 of the Act, and not restored within the periods specified in those Sections.

(Vide Note to Sec 25 of the Act—page 57.)

28. The Commissioner of Police in Bombay and the District Magistrates are hereby authorized to pay, as soon as possible after conviction, a reward of not less than half the value of the articles confiscated under section 24 of the Act to the Customs Officers, Railway servants, Police Officers, Steam-boat officers or other persons who may have given information which led to the detection of the offence, or who may have arrested the offenders or seized their arms under section 12. Such rewards may be withheld for good cause.

It should be notified in the *Bombay Government Gazette* that rewards may be so paid and all heads of Departments and the Agents of all Railways should be requested to explain to their subordinates and make as widely known as possible the provisions of the Act, and particularly the responsibilities created by section 28 and the rewards which may be earned.

(8) (a) Registers of licenses of all kinds granted by the Commissioner of Police, Bombay, the District Magistrates and other officers empowered to grant licenses shall be kept by those officers,

(b) All licenses to go armed or to possess arms and ammunition should be sent to the parties for whom they are intended through the Chief Constables, who should

keep in their offices accurate registers of all the licenses granted to persons within their respective charges.

29. Inspection of manufactures under the Arms Act.—Superintendents of Police must pay particular attention to the important duties under the Arms Act assigned to them by Government, and always report in their diaries their visits and inspections of the shops, etc., of every licensed manufacturer, etc.

30. Sanction for Arrest under the Arms Act—Persons punishable under section 19 (f) are not to be arrested by the Police without previous sanction of the District Magistrate

31. When a person who repairs arms is also a maker of arms, he should provide himself with a license in the latter capacity. No license is required thereby for carrying on the business of repairing arms by blacksmiths, etc. See note (5) to section 5 [page 43]

32. Despatch of Ammunition, etc., from Messrs Treacher and Company and Firms, to Government Servants. When persons lawfully entitled to possess arms, etc., under Schedule I send orders on licensed dealers at a distance for arms or ammunition, the transport to them of reasonable quantities for their own use by such licensed dealers is covered by the permission provided for in the rules issued under the Arms Act on the ground that the licensed dealers may, for the purposes of such transport, be regarded as the agents of the purchasers and, therefore, no license for such transport is required. At the same time it is proper that the immunity from license of the arms ammunition so transported should be certified by a responsible officer, and the Governor in Council therefore approves of the practice of the Commissioner of Police, in issuing for the purpose certificates without fee certifying that the arms and ammunition were for the use of a person duly entitled to possess and transport them. It will be noticed that this rule deals with transport only, and that where export to Foreign territory as to Hyderabad, or transport and export as from Poona across Kolnapur to Ratnagiri are involved, the license of the Secretary to the Government, Political Department, required by the rules is needed.

33 Search under the Arms Act. Police Officers of not lower rank than a Chief Constable are appointed under section 30 of the Arms Act to be officers in whose presence a search of the nature named in that section may be made.

But the following procedure should be observed:—

In cases to which Section 29 of the Arms Act, 1878, does not apply, a search in respect of an offence under section 19 (f) may be made by warrant as established by the case at Indian Law Reports, 8 C, 473.

But when section 29 of the Act does apply, as no proceeding can be instituted outside the Presidency towns without the previous sanction of the Magistrate of the District, it seems evident that no arrest can be made prior to such sanction being given. For section 30 of the Act contemplates searches as being made "in the course of proceedings instituted," and it can hardly be supposed that this provision was intended only to apply to searches made during magisterial inquiry, leaving searches during Police investigation wholly unprovided for. Section 30 indicates that the phrase "no proceedings shall be instituted" was intended to render such sanction a condition precedent to all action, even by the Police, in the course of which a search could take place.

(Resn. No. 3877 dated the 5th June 1900)

34 As a special case, that the provisions of Chapter IV of the Indian Arms Act (XI of 1878) should not, as a matter of courtesy, be enforced in the case of (a) non-European civil officials, serving under the Government of Portuguese India, who are entitled to wear a uniform and sword, and (b) Military Officers of that Government when travelling through districts through which the ordinary routes by land or sea from Goa to Daman pass.

(a) All Portuguese Officers (Military and Civil) passing through British territory from one part to another of the Portuguese territory are, on their giving a simple declaration that they are proceeding to Portuguese territory, allowed to transport their firearms without let or hindrance

(G. O. No. 6674 dated the 8th Oct. 1909).

LOCAL RULES AND ORDERS—BENGAL

Notifications by the Government of Bengal, dated the 24th March 1879, 15th August 1879, 24th July 1880, 6th June 1881 and No. 1227 P. D., dated the 21st June 1909.

For **Exemptions**.—Vide pages 103 and 111-112.

It is hereby notified for general information that the provisions of the Indian Arms Act (XI) of 1878 are in force throughout the Province of Bengal. The attention of all officers of Government, and of all manufacturers, dealers and owners of arms and ammunition, is hereby drawn to the provisions of the Act, to the notification and rules made by the Governor-General in Council, [The Indian Arms Rules, 1909], and to the following supplementary rules and instructions issued by the Government of Bengal:—

1 **The form of account**—prescribed by the Local Government, in accordance with section 17 (c) of Act XI of 1878 and rule 11 [present rule 24] of the rules of the Governor General in Council is a simple debtor and creditor account, showing the number and quantity of each article in stock, at the commencement of each month, the additions made to the stock during the month, and the sales effected in the month with the names and addresses of the purchasers.

2. **Inspection**—By rule 24 (4) of the rules [page 78] Magistrates and police officers not below the rank of [Sub] Inspectors are empowered to enter and inspect any premises within their several jurisdictions in which arms or ammunition or sulphur are manufactured or kept, and every license-holder shall exhibit his stock and accounts to the inspecting officer. These inspections shall be made once a month unless the license-holder shall voluntarily submit to the local (i.e. district or sub-division) Magistrate a monthly return in the form of account prescribed above. When the prescribed monthly return is regularly submitted, the inspections shall not necessarily be more frequent than once a quarter or once a year in the case of shops in which only country gun powder is manufactured and sold. The inspection shall be made without previous intimation being given to the license-holder, and a report of the inspection shall be made by the inspecting officer to the district or sub-divisional Magistrate.

The inspections prescribed in this rule shall ordinarily be made by police officers, but district and sub-divisional Magistrates should themselves frequently inspect the premises of licensed manufacturers and dealers in arms and ammunition.

In Calcutta, the premises of each licensed manufacturer or dealer shall be inspected once a month and the reports of the inspection officers shall be submitted to the Deputy Commissioner of Police.

3. Monthly returns of the stock and sales of each license-holder shall be submitted by subdivisional Magistrates of the District Magistrate in the form prescribed above. Form these monthly returns quarterly statements shall be submitted by District Magistrates to Commissioners of Divisions and the Inspector-General of Police. The Inspector-General of Police will submit to Government a complete quarterly return for the entire province, excluding the town of Calcutta. A similar quarterly return for Calcutta shall be submitted to the Commissioner of Police.

4. All arms, ammunition or military stores deposited at a police station, in accordance with the provisions of sections 14 and 16 of the Act shall be at once sent to the Magistrate of the district in which the Police station is situated, and in Calcutta to the Commissioner of Police. The Magistrate or Commissioner of Police shall then store the arms etc., in a place of safety.

5. Search—Vide notes to sections 25 and 30 of the Act [pages 57 and 59.]

6. Disposal of arms, ammunition and military stores confiscated or forfeited under any enactment—All arms, ammunition, military stores, vessels, carts, baggage animals, boxes, packages or other articles forfeited or confiscated in accordance with the provisions of the Act shall be disposed of by the District Magistrate at his discretion in one of the following ways.—

Arms, ammunition and military stores, defined in section 4 of the Indian Arms Act 1878 (X1 of 1878), which are confiscated under any provision of that Act or any other enactment for the time being in force, may, if they can be utilized by the Police or by any Department under the Government, be retained and brought into use with the sanction of the Local Government

2. If any such arms, ammunition or stores are not so retained, they shall be sent forthwith, or as soon as the period of appeal [if any] against the order of confiscation or forfeiture has expired, to the Ordnance Officer, Fort William, Calcutta, to be broken up or otherwise destroyed.

Provided that insignificant quantities of ammunition or military stores may be destroyed locally.

Provided also that bayonets, swords, daggers, spears, spear-heads and bows and arrows shall not be sent to the Ordnance officer, but shall, if possible, be sold to licensed-dealers or other persons entitled to possess such articles, or, if they cannot be so sold, shall be destroyed locally

7. When any person is convicted of an offence punishable under the Act, the Court may grant rewards to those officers and persons who actually arrested the offender and seized the property in respect of which the offence was committed, and also to those who gave the information that led to the conviction of the offender. The rewards granted to the person or persons who arrested the offender and seized the property shall not ordinarily exceed one-half of the sale proceeds of the confiscated articles, or one-half their value when they are forwarded to the arsenal instead of being sold, together with half the fine realized from the offender. The rewards granted to the informer or informers shall not ordinarily exceed the other moiety of the sale proceeds or value of the articles confiscated, together with the other moiety of the fine realized. In special cases when the seizure is important, or when the value of the articles confiscated and the amount of the fine realized are small the Commissioner of the Division, or in Calcutta the Commissioner of Police, may grant a sum not exceeding Rs. 200 as a reward to those persons through whose information or by whom the offender was arrested or convicted of the articles seized. The articles confiscated by the Court should be disposed of by the District Magistrate or Commissioner of Police, and the rewards paid as soon as possible after the period within which an appeal can be preferred expires or the order of the Court of first instance is confirmed whichever may first happen. Fines imposed by the Courts for offences punishable under the Act shall be realized according to the ordinary procedure of the Criminal Courts.

8. By section 28 of the Act every person employed upon any railway or by any public carrier is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, to give information to the nearest police-officer regarding any box, package or bale in transit, which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed. Such persons, although legally bound to furnish the information required, are eligible for the rewards mentioned in the preceding rule.

9. All officers empowered to grant licenses under the Act and rules will be supplied with registers, and those registers must be kept written up to date. The

registers will correspond with Forms II to IV and VI to XI appended to the rules (for new forms see Schedule VII) issued by the Governor-General in Council. The license forms will be attached to counterfoils in the registers and when granted the forms will be removed and the counterfoils will remain in the registers. Each page of registers No II and IV will consist of three forms, one to be given to the licenseholder, another to be forwarded to the place of consignment or to the place from which the articles covered by the license are to be exported, and the third for record in the register. Similarly each page of the register of licenses to go armed on a journey will consist of three forms, one for the license holder, another to be forwarded to the Magistrate of the district where the journey ends and the third for record in the register. On the back of the license to go armed on a journey should be an endorsement that the license is to be given up to the Magistrate of the district where the journey ends. A general register shall also be kept for facility of reference, showing the name of each licensed holder, his father's name, his residence, the form of the license, the date of issue and the date on which the license expires.

10. Before any license is granted, the Magistrate of the district or Commissioner of Police shall cause such enquiries as he may consider necessary to be made as to the character of the applicant and his fitness to receive a license. A fresh license shall not be granted to any person who has previously received a license unless he shall either return the old license or shall satisfy the Magistrate or Commissioner of Police that it has been destroyed.

11. **Warehouse at Moyapore.**—Vide note to section 7 of the Act [page 45].

12. **Importation of rifles**—Vide note to section 6 of the Act [page 44] and notes (2) and (3) to rule 8 [page 66].

13. The following extracts from Act XI of 1878 and the rules framed thereunder declaring the duties under the Act of railway officers, public carriers, and their servants, and of the public generally, the penalties to which are liable, and the rewards they can earn, are hereby published for general information :—

Sections 12, 21 and 28 of the Act [not printed]

Rule 7 of the rules [vide page 185].

Grant of rewards to Customs and other officers—In supersession of rules 10 and 11 issued under the provisions of the Sea Customs Act, VIII of 1178, and published in the Calcutta Gazette of the 14th January 1885, the following revised rules which have been approved by the Government of India, are published for general information.

14. To officers of Customs or other persons, who are instrumental in detecting and bringing to notice infringements and evasions of the provisions of the Sea Customs Act, or of the Indian Merchandise Marks Act, rewards may, when it is considered that they are merited, be given in the following cases in which goods may be confiscated, or a penalty or fine imposed :—

- (a) Smuggling or attempted importations of articles contrary to the provisions of section 18 or 19 of the Sea Customs Act.
- (b) Breaches or attempted breaches of the provisions of the Sea Customs Act, or of rules made thereunder when such breaches were probably intended to facilitate the importation or exportation of dutiable goods, or the removal of goods from bond without payment of full duty thereon.
- (c) Breaches of the provisions of the Indian Merchandise Marks Act.
- (d) False declaration of the contents of packages in regard to short quality, quantity, value, or other conditions.

- (e) Undervaluation in a bill-of-entry or understatement of quantity in a shipping bill, effecting the amount of duty chargeable where such undervaluation or understatement is solely the result of accidents or error.
 - (f) Unlicensed importations of arms or ammunition subject to a maximum reward of Rs 500, irrespective of the value of the arms and ammunition confiscated or the fine imposed.
11. (a) In each case, except as provided in clause (f) of rule 14, the reward shall not exceed one-half of the realised value of the confiscated goods (if any), and of the penalty or fine imposed, and shall be so restricted that the balance shall suffice to cover all outstanding Government dues (if any,) and any incidental charges incurred in consequence of the seizure of the goods
- (b) If, however, in any case, except as provided in clause (f) of rules 14, the value of the confiscated goods, or the penalty or fine imposed, is not realised, or is only realised in part, and if the aggregate sum realised appears to be insufficient for the purpose of rewarding the officer of Customs and other person or persons who have been instrumental in detecting and bringing to light the case the Chief Customs Authority, on the recommendation of the Customs Collector, may grant such reward or rewards not exceeding in the aggregate one-half of the estimated value of the confiscated goods (if any) and of the penalty or fine as he may think reasonable.

15 The adjudication of rewards shall, in all cases, be made by the Chief Customs Officer. No reward shall be paid until three months have elapsed from the date of the confiscation of the goods or infliction of the penalty with reference to which it is to be paid. The payment to any persons in any case of a reward or rewards under these rules exceeding in the aggregate Rs. 500 shall require the previous sanction of the local Government.

(Bengal Board of Rev. notifi. No 2047B, dated the 2nd August 1902, as amended by notifi. No. 5774B, dated the 2nd Nov. 1911)

LOCAL RULES AND ORDERS.—UNITED PROVINCES.

For Exemptions see pages 103 and 104.

Under schedule I clause (18) [page 95], the Government of India have exempted Rao Sheodaran Singh of Gopalpura and 50 of his retainers.

Exemptions.—Schedule I, Clause (15). The object of the Government of India in granting personal exemptions is to confer a mark of special distinction on certain classes only of the native population. The liability to take out a license casts no slur on a native gentleman's character any more than the non-bestowal on him of the Star of India or any other order or title. A license costs an insignificant sum, and the application for its grant involves no material trouble. It follows that the privilege of exemption should be proposed with care and with a certain sparingness; otherwise it ceases to constitute any peculiar distinction. As a rule no names should be proposed unless their owners are entitled to attend the Lieutenant-Governor's darbars. Exemption will not be granted necessarily to all such darbaris, and the selection from this list, is left to Commissioners in consultation with District Officers. If a Commissioner would propose the inclusion of any name which is not entered on the darbar list, special reasons for this step must be given. Commissioners should, if practicable, secure a fair representation of the gentry of each district in their divisional list, and there are unquestionably some native gentlemen in every district on whom this privilege may fitly be conferred, although in certain districts the number fit for selection will be less than in others.

In Oudh the district lists will inevitably be scantier than those obtainable from districts of the Province of Agra, inasmuch as most of the leading talukdars in that Province are Honorary Magistrates, and are therefore *ex officio* exempted.

In the case of future exemptions under clause (15), schedule I. Commissioners should report the number of weapons which the exempted persons should be allowed to possess.

Thokdars in Kumaon and village headman.—Vide note (28) and (29) [page 107.]

List of exempted persons to be maintained.—In order to prevent needless annoyance being caused to the exempted persons every District Officer should maintain a correct list of all such persons, in his district, whether exempted by name by the Local Government under clause (15), schedule I or under any other clause [excepting of course clauses (3) and (13), in which cases it will be sufficient to enter the name of the exempted class], and supply a copy of this list to the police. A copy of this list should be hung up in every police station, and it should be the duty of all the police to make themselves acquainted with its contents.

In the case of stations bordering on another district, lists should be furnished of the exempted persons residing within the limits of the adjoining police stations of that district, and the police should, as far as possible, make themselves acquainted with these exempted persons in the adjoining district.

Facilities to be given to exempted persons.—Vide note (1) to schedule I, [page 98]. Persons so exempted should not be stopped and questioned by the police, unless there is some reasonable doubt as to their identity; and the object of this order is to ensure that the police shall know who are exempted and refrain from interfering with them unnecessarily. At the same time they must be careful that no persons go about armed except those who are regularly entitled to do so.

Persons holding licenses to carry arms should be dealt with in a similar spirit. A list of licenses is furnished to every police station; and the police should make themselves personally acquainted with these persons, and so be in a position to refrain from calling on them to produce their licenses except in a case of *bona fide* doubt.

By these instructions it is not desired in any way to relax the supervision of the police. What is aimed at is the maintenance of an efficient supervision with a minimum of friction and of annoyance to the people. Superintendents of Police should, under instructions from their Magistrates, from time to time, test the knowledge of the station police of the exempted persons, and take measures to ensure that this knowledge is practically sufficient for the purpose of carrying out these directions.

Honorary Lieutenants of the Indian Army.—Vide note (6) to schedule I, [page 99].

Withdrawal of certain exemptions.—Vide note (22) to schedule I, [page 106].

Temporarily residing.—Clause (13) Vide note (22) to schedule I, [page 106.]

Fishing spears exempted in certain districts.—Under rule 3, schedule II, the Local Government has exempted fishing spears throughout the whole of the United Provinces, and spears of all kinds in the undermentioned district and parts of districts :—

District.	Part affected.
Bijnor	Whole district.
Moradabad .. .	Ditto.
Shahjahanpur	Ditto
Pilibhit	Ditto.
Mirzapur	South of Son.
Kheri	Whole district.
Bahraich	Ditto.
Gonda	Ditto
Etawah	Ditto.
Etah	Ditto.
Ballia	Ditto.
Jaunpur	Ditto.
Ghazipur	Ditto.
Gorakhpur	Ditto.
Basti	Ditto.

Treatment of air-guns as arms under the Arms Act—Vide notes (8) and (9) to Schedule II, [page 120].

Sulphur.—With reference to schedule II, [page 117], ten seers has been fixed as the maximum quantity of sulphur which may be exempted in the United Provinces.

Transport.—Vide notes (1) to (3) to rule 23 [pages 76-77].

Import of Rifles of military pattern—Vide entry No. (21) of schedule I, [page 97]

Importation of rifles of non-sporting character by exempted persons.—The Government of Bombay raised a question whether a person who was lawfully entitled to possess arms within the terms of section 6 of the Indian Arms Act, and who wished to import a non-sporting rifle for his personal use, was bound to apply for the previous sanction of the Governor General in Council under rule 8 of the Indian Arms rules and to obtain and pay for a license under the Arms Act. It was decided that no order or license was required for the importation of rifles of a non-sporting character, when the quantity was reasonable and the rifles were for the importer's own private use, if they were brought into India by an exempted person himself, or imported through an agent when the arms are consigned to him direct, and the agent

only clears them at the Customs House and forwards them for him. It was added that one non-sporting rifle per man should be considered the "reasonable quantity" which an exempted person might import for his own private use without an import license.

In modification of the above, the Government of India have directed that an exempted person may, without an order or license, import rifles of a non-sporting character through an agent when the arms are consigned to him direct, or when, if the arms are consigned to an agent, the latter obtains a certificate from the exempted person that the imported arms are *bona fide* his property, and the agent only clears them at the Customs House and forwards them for him.

(H. D. No 22-1321, dated 24th Aug 1896, No 2531, dated 9th Dec. 1897 and No. 1957, dated 20th Aug 1906.)

Lead-cutting swords.—Vide note (4) to schedule II, [page 120].

Sub-target rifle machines.—The importation of rifles with "sub-target rifle machines" is strictly prohibited by the Government of India.

(H. D. No 2516,--19, dated 18th Nov. 1906)

Export to Native States.—Vide notes (1) and (2) to Rule 19-B [page 74.]

Persons desirous of exporting arms, ammunition or military stores should, in the first instance, apply to the Local Administration or Political Officer concerned for an assurance in writing that there is no objection to the export of the consignment named in the application

A copy of this assurance should accompany the application to the Government of India for the issue of the license. Dealers in arms, etc, should be informed accordingly.

They should then apply, either direct or through the Local Administration or Political Officer, to the Secretary to the Government of India in the Foreign Department, for the issue of a license, enclosing the written assurance mentioned in the foregoing paragraph. Each application should be written on an "impressed stamp" of the value of Rs. 5.

The application should contain the following particulars :—

- (1) The name and description of the license-holder and agent, if any.
- (2) The number of packages in which the consignment will be conveyed.
- (3) The description and number of the arms to be exported.
- (4) The description and weight, or number, of the ammunition or military stores to be exported.
- (5) The place of despatch and the *exact route* by which the consignment will travel.
- (6) The purpose for which the consignment is required.
- (7) Its destination.
- (8) The name and residence of the consignee in full.
- (9) The probable time that will be occupied by the journey.

If these conditions are observed in their entirety, the Government of India will be enabled to issue licenses without the considerable delay that their neglect occasions.— Vide also note (2) to Rule 19-B, [page 74].

Political Officers authorized.—All Political Officers are authorized to grant licenses for the export of arms and ammunition from British territory, in reasonable quantities, for personal use to the native chiefs under their charge and to any of the

nobles and high officials of the Native States to which they are accredited, whom they may consider entitled to this privilege

Such license will, of course, be granted after due inquiry where necessary, and it will be within the discretion of the Local Governments to whom the Political Officers are subordinate to decide whether in particular cases a previous reference to them should not be required. The object of the rule is to remove any unnecessary difficulties in the way of the supply to chiefs and other persons of rank of ordinary sporting ammunition.

(For. Dept No. 1171P, dated 1st January 1880, and No. 759G, dated 20th September 1882)

The applications of native chiefs (who dwell outside British India, but who purchase ammunition in British India and export it to their own territories) for licenses under this rule are exempted from the fees usually levied,

(For Dept. No 448-T P, dated 21st May 1881).

Manufacture and sale of Ammunition for rifles of prohibited bores.—See notes (2) to rule 24 [page 79] and (5) and (6) of rule 27 [page 81].

Repairing arms.—Vide note (5) to section 5 [page 43].

Going Armed—Grant of licenses in Form XVII, XVIII and XIX—Whenever a license in Forms XVII and XVIII is granted the District Magistrate should see that the weapon or weapons are accurately described in English and Vernacular. As it has been represented that, under cover of such licenses, rifles have not infrequently been smuggled across the Indus frontier by Pathans Licenses in Forms XVII and XVIII for rifles should be granted very sparingly and with much caution.

The practice of carrying arms on a journey should also be discouraged. Under present conditions in India arms are rarely required by travellers for purposes of protection, and the object of obtaining a license in Form XVI is usually that of display. As a general rule it is desirable to restrict the grant of licenses in Form XVI to cases of persons whose position and social standing is such as to require or justify display of this description.

Grant of licenses to Reservists—Vide note (11) [page 102].—

When native gentlemen of the better class are going on a journey by train to pay ceremonial visits to His Honour, or on occasions when it is reasonable that their followers should be armed for purposes of display or protection, District Officers may grant them a special permission for this purpose. This should be in writing, and should specify the places where the holder will stop, the number of armed followers he may take with him, and the time for which the permission is to hold good.

No precise instructions are required as to the class of persons to whom this privilege may be extended, but in no case should it be accorded to any one except those entitled to attend the Lieutenant-Governor's darbars.

Retainers.—Vide note to rule 30 [page 82].

Soldiers in Civil employ.—Under paragraph 690 of the Army Regulations, India. (page 100) Commanding Officers are empowered to grant passes for arms to soldiers proceeding on furlough. If such soldiers, however, are not serving with the colours but are employed under a Civil department they must obtain licenses in Form XVI and such a license can be granted by the District Magistrate only.

With reference to rules 8 (1) (a) and 31 of the rules it is explained in the case of rifles described as .450-400, .577-450, .500-450 the former of the two figures represents the size of the chamber and the latter figure the size of the bore, consequently, while a rifle described as .450-400 is not of prohibited bore, weapons

described as 577-150 or 500-150 and ammunition to fit them are subject to the restrictions imposed by the rules referred to
(H. D. no 1343, dated 9th June 1911).

Possession of ammunition of the prohibited bores.—Vide notes (5) and (6) rule 27, [page 81].

Empty cartridge cases.—Vide note (13) of section 4 of the Act, [page 41]

Revolvers.—Vide note (2) to rule 2 of the rules [page 80]

Breech-loading fire arms.—Although in special circumstances exception may be made, as a rule licenses for breech loading fire arms should only be granted in future to persons of distinction and well established position and substance.

Taluqdars.—Taluqdars who hold property in different districts should be granted licenses in one district only, viz., that in which each has his principal residence. When countersigned by the Commissioner the license will hold good for the whole province.

Retainers.—In the case of retainers [unless especially exempted under schedule 1, clause (18)] a separate license should be taken out on a separate fee in the case of each servant of a native gentleman who carries arms when working for his master, but who is not in attendance on him. (Vide also note (1) to the conditions of license form XVI)

Grant of licenses to persons of doubtful character.—The attention of Magistrates is drawn to the following circular issued by the Inspector-General of Police, and they are directed to give their close attention to the matter. The issue of licenses under the Arms Act in localities where the number of daktaris or crimes of violence has attracted notice, should be reviewed and restricted.

Circular

It having been brought to the notice of the Inspector-General that licenses to carry arms in Form XVI are in many cases granted to men of bad character, who not only are not entitled to them, but actually use them for purposes of crime or assisting criminals, Superintendents of Police are instructed to issue orders to all officers in charge of police stations to scrutinize very carefully all lists of arms' licenses and to bring any such cases to their notice.

Superintendents of Police will, after careful personal inquiry in each case, and after satisfying themselves that the information on which the license holder is classed as a bad character is correct, bring these cases to the notice of the District Magistrate and apply for the withdrawal of the license.

Kanthas.—Commissioners of divisions were instructed to authorise the issue of general notices calling on all persons in their divisions either to deposit *Kanthas* in their possession in the Magistrates *Malkhana* within a fixed time or to apply for a license under the Arms Act, to possess them.

Grant of licenses in Forms XVI, XVII and XVIII.—The number of licenses really required by agriculturists for the purpose of destroying wild animals which cause injury to human beings, cattle or crops, should be carefully determined and granted in Forms XVII and XVIII. Licenses in XVI may only be issued to respectable men who are free from all suspicion of connection with criminals, and who may be confidently relied on not to use, or to allow the use of, the arms for improper purposes, and such licenses are strictly held to be for one or more of the following purposes, viz., for (a) sport; (b) for protection (in circumstances specially stated) of self, family or property from danger other than that from wild animals; or (c) for display. Licenses to professional hunters be granted in Form XVI under the head of sport. The circumstances of each district differ, and no hard-and-fast rules as to the granting of licenses in Form XVII and XVIII can be laid down. The matter must be left to the discretion of the District Magistrate, but whenever it appears that

these firearms are not being used at all or not used for the purpose for which they were granted, they should be withdrawn.

Arms covered by licenses in Form XIX not to be used for the purpose of sport—Section 13, Act XI of 1878, and rule 27 of the Rules make it clear that a license for a journey is valid only for the journey and for such time as may be fixed for the journey. Such a license is given by the Magistrate of the district in which the traveller resides. Such a Magistrate cannot give a license for sport in a district outside his jurisdiction. It therefore follows that the holder of a license in Form XIX must take out a separate license in Form XVI in the district in which he wishes to use his weapons for purposes of sport.

Licenses to shikaris—The sanction of the Commissioner must be previously obtained by the Magistrate to any restrictions which he may desire to impose in the grant of licenses to *shikaris*.

In order to cover the cases of Government arms which in some province it may be the custom to lend to private persons for the destruction of wild animals or for any other reason, a note giving the distinguishing marks and description of the arms lent should be made in the license.

Passes to reservists—Officers Commanding regimental centres have been instructed to furnish Magistrates of districts with the names of such reservists as have already been, and may in future be, granted passes under paragraph 690, Army Regulations, India, Volume II to carry and bear private arms, together with a description of the arms covered by the passes. A list of reservists who have been granted such passes should be maintained in Magistrates' offices, as the information may on occasion be useful.

Paragraphs 692 and 693, Army Regulations, India, Volume II, (page 101) provide that when passes granted to reservists are withdrawn or cancelled the Magistrate or Political Officer concerned is to be so informed.

On receiving information of the cancellation or withdrawal of passes, Magistrates should see that the arms held by the reservists are surrendered or licenses taken out for them (Mily Dept. No 561, dated the 6th Jan 1906).

General.—The following rules have been issued by the Local Government —

I—Power to detain arms and to disarm—The authority to detain arms and ammunition contemplated in clause 2 of section 6 of the Indian Arms Act may be exercised by any Magistrate, Justice of the Peace, Superintendent or Assistant Superintendent of Police, and any police officer being not lower in rank than an officer in charge of a reporting police station.

I (a)—The Conservator of Forests, Eastern and Western Circles, United Provinces, and all Deputy Conservators, Assistant Conservators and Extra-Assistant Conservators (including probationers) have power to disarm any person going armed without a license or in contravention of its provisions. Patwaris in Junsar-Bawal have similar powers.

II.—Day and store-books.—Magistrates in granting licenses under rule 24 of the Indian Arms rules to manufacture, convert or sell or keep arms, ammunition and military stores, or to keep and sell the same, shall deliver to each licensee two books in the Form A and C or B and D (as the case may be) hereto appended, the one to be kept up as showing his stock-in-trade, and the other for the purpose of showing the sales of each day. The pages of these books should be numbered from beginning to end, and the first and last page of each should be signed by the Magistrate, or some European Subordinate, and sealed with his official seal.

The licensee will be required to pay the cost of these books. The Magistrate, in delivering these books to the licensee, will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so.

In order to ensure that all arms and ammunition received by dealers are brought to account in the store-books and subsequently in the day-books of licensed vendors exa-

mination of consignments on arrival by an Inspector of Police, who should see that the necessary entry is made in the books of the firm. By the terms of the license the articles must be available for exhibition within six days of the arrival of the consignment.

Marking of arms.—Except in the case of arms of European manufacture, which are already numbered and marked, every licensed vendor of arms shall, previous to sale, stamp every weapon in a permanent manner with a number and mark, and shall, on sale, enter the number and mark of the weapon sold, whether of European or native manufacture, in column 5 of his day-book (Form C or D), forwarding forthwith a copy of the entry to the Magistrate of the district in which the purchaser resides. In addition to the number and mark a full description of the weapon sold shall also be entered in column 5.

Note.—It is not intended to tie ignorant people down absolutely to these forms. If the accounts of stock are kept accurately in an intelligible manner, Magistrates may dispense with a servile adherence to the form in cases where they may deem it advisable to do so, but in the absence of valid reasons, and especially in the case of those who are not mere makers of fireworks, but really dealers in arms and ammunition, the form prescribed should be adhered to, and neglect to comply with the orders on the subject severely noticed.

Should any person who makes and sells fireworks combine with his trade the manufacture and sale of gunpowder or any of the articles enumerated in section 5 of the Arms Act, he will be required to take out a license under the Arms Act according to Form XI, XII, XIII or XIV, as the case may be, or in Form A or B under the Explosives Act, endorsed to have effect under the Arms Act.

The orders conveyed in rule II do not apply to firework-vendors. The police should watch that the conditions of the license are not transgressed, and to secure this end the police may inspect the premises of the licensees, and, if necessary, examine their books of account; but no special form of account is needed.

Annual inspection of shops.—The shop, premises and stock of every licensed vendor shall be inspected once in every half year by a police officer not below the rank of Inspector. A similar inspection shall be made annually by the Magistrate of the district or one of the subordinates in the month of March, and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police in the month of October, of all shops situated at the head quarters of districts. In the case of outlying shops, an annual inspection shall be made by a Magistrate and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police at any time during the year. It should be arranged, however, if possible, that there should be an interval of a couple of months at least between the visits of the inspecting officers. The practice of sending for and examining the books kept up by the licensed vendors cannot be regarded as an inspection, and is prohibited.

Every officer making such inspection shall initial the stock and sale-books of the licensee and at once report to the Magistrate of the district any irregularity or breach of rules which may have come to his notice.

In the case of larger firms in towns inspection should ordinarily be made oftener than twice a year, and police officers should specially examine the names of customers as entered in the registers and ascertain that they are really persons entitled to possess arms and ammunition. Inspecting officers should be careful to see that copies of the entries in the day-book have been sent to the District Magistrate concerned, and District Magistrates receiving such copies should ascertain that a person claiming exemption from the provisions of the Arms Act was really exempt.

III.—Sale of arms.—A Magistrate or police officer receiving notice of sale of arms or ammunition under second clause of section 5 of the Act should at once ascertain the correctness or otherwise of the purchaser's name and address as given by the seller. The result of such inquiry will be reported by the police officer to the Magistrate through the Superintendent of Police. If the purchaser lives beyond the jurisdiction of the police officer, he shall send a report to the Superintendent of Police, who will order the inquiry to be completed and reported by the police officer having jurisdiction at the place where the purchaser lives. The responsibility for taking out a license rests with the purchaser.

IV.—Searches—For the purpose of conducting searches under section 25 of the Act, the Lieutenant-Governor is pleased to empower the following persons in virtue of their office :—

Justices of the Peace, Superintendents of Police, Assistant Superintendents of Police, Inspectors of Police.

V.—For the purpose of conducting searches under section 30 of the Act, the following persons are appointed by virtue of office :—

Magistrates, Justices of the Peace, Superintendents of Police, Inspectors of Police, Police Officers in charge of reporting stations.

Deputy Superintendents of Police have been empowered to conduct searches under sections 25 and 30 of the Act. The rules published with notification No. 229 $\frac{1}{2}$, dated the 27th February 1879, so far as they apply to Assistant Superintendents of Police also apply to Deputy Superintendents of Police.

VI.—Disposal of arms deposited or forfeited—When any arms, ammunition or military stores have been deposited at a police station under section 16 of the Act, the officer in charge of the police station shall affix to each weapon or article a ticket showing the name of the depositor, the date of deposit, and a description of the weapon or article deposited. He shall also hand to the depositor a duplicate of this ticket signed by himself, as a receipt, and inform him that the Government will be responsible for the safe custody only of the articles, and not for their preservation from rust and decay.

After the expiry of fourteen days, if the owner has not obtained a license authorizing him to possess them, the arms, ammunition and military stores shall be forwarded to the head-quarters of the district, and shall there be kept in the malkhana of the Magistrate or the Superintendent of Police, at the discretion of the Magistrate. If deposited in the Magistrate's malkhana, the nazir shall be responsible for their custody, and if deposited in the Superintendent's malkhana, the Court Inspector shall be so responsible.

The Court Inspector (or the nazir as the case may be) shall keep a register in which the arms and other articles deposited shall be described and entered under serial numbers, and fresh tickets shall be affixed to them, showing the owner's name, &c, corresponding with the entries in the register.

If on the expiry of the period mentioned in section 16 of the Act the arms and other articles become forfeited to His Imperial Majesty, the Magistrate shall dispose of them as follows :—

(1) Arms, ammunition, and stores which can be utilized by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled firearms or rifle barrels not so disposed of shall be sent to the nearest ordnance officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunition or stores not disposed of under the provisions of clause (1) shall be destroyed.

In the case of gunpowder and other explosive materials Magistrates must make suitable arrangements for their safe custody, so as to guard against danger to life and property. As a rule the police magazine should be the place of deposit for such materials.

These orders will apply also to arms, ammunition and military stores confiscated under section 24 of the Act.

VII—Rewards—(a) When any arms, or other articles, are confiscated under section 24, the convicting Magistrate shall, immediately on conviction, pay a reward of not less than half the estimated value on the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and seizure of the arms or other articles. Such payments will be charged against Law and Justice, and be drawn by Magistrates in their contingent bills.

(b) Any Magistrate convicting an offender of any offence under the Act may at his discretion, grant a reward, not exceeding the amount of fine imposed, in such proportions as he may think fit to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.

(c) If no fine is inflicted, or if a larger reward than the fine imposed seems needed, *and in all cases in which persons are apprehended, or arms other contraband articles seized* the Magistrate of the district is hereby authorized to pay rewards at his discretion, to the persons who have contributed to the arrest of the offenders, or the seizure of the arms or other contraband articles, up to the limit of Rs 100 in each case, and up to Rs. 500, with the sanction of the Commissioner of the division. Rewards exceeding Rs. 500 shall not be paid without the sanction of Government.

(d) If such cases occur before a Subordinate Magistrate, he should at once forward the papers connected with the case, together with his recommendation as to the amount of the reward and the persons to whom it should be paid, to the Magistrate of the district, who will at once pass such orders thereon as shall seem required.

(e) Provision for rewards under this rule should be made by Magistrates in their district budgets, but informers who bring to light breaches of the Arms Act should be rewarded under the rules relating to rewards of class (b) in paragraph 367 of the Police Regulations.

(f) Rewards payable to police officers shall be credited to sub-head XVII, Police—Miscellaneous—"Rewards to the police received from other departments and the public" and drawn by the Superintendent of Police from head "20, Police 41" for distribution.

VIII—Registers of licenses for sale and of Inspectors of shops—Every Magistrate shall keep a register of the licenses granted by him under rule 24 of the Indian Arms rules to manufacture, convert or sell or keep arms, ammunition and military stores. Such register shall be in the Form E annexed. A copy of this register shall be furnished by the Magistrate to the Superintendent of Police

A register in English shall be maintained in the Magistrate's office giving the name of each licensee under the two heads of (A) head-quarter shops, (B) outlying shops and quoting the date of inspection in each year by (1) the Magistrate or his assistant, and (2) the Superintendent of Police, his assistant or Deputy Superintendent of Police. The Commissioner, when on tour, shall examine and initial the register and see that the standing orders on the subject are complied with.

The Superintendent of Police will furnish to each officer in charge of a police station an extract, columns 1 to 6, giving the names of the persons living within his jurisdiction who hold licenses and each Circle Inspector shall receive from the Superintendent of Police an extract giving the names of all persons living in the circle who hold licenses.

Every Inspector, when making the inspection directed in rule II, shall enter in his copy of the register, in one of the subordinate columns of column 7, the date on which he made the inspection. If the inspection disclose no irregularity or breach of the rules, the report will be made. But if, at the inspection, any fact is brought to light which it is advisable that the Magistrate shall know, the Inspector shall send a special report to the Magistrate through the Superintendent of Police, noting in the column of remarks in his register the date on which the report was sent.

Every Subordinate Magistrate, Superintendent of Police, Assistant Superintendent and Deputy Superintendent of Police making an inspection as directed in rule II, shall send to the Magistrate of the district a report of his inspection for incorporation in the register, column 7.

At the close of the calendar year the Circle Inspectors will send their registers to the Superintendent of Police for transmission to the Magistrate, who will enter in his register the facts recorded by the Inspectors opposite the name of each license.

IX—A register in Form F shall be kept by the Magistrate of all licenses to keep and sell arms, ammunition and military stores, and the same rules shall, *mutatis mutandis*, be observed with regard to this register as are laid down in rule VIII for the register in Form E.

X—Separate registers in Forms, G H J. shall be kept by Magistrates of the licenses granted under rules 27, 28 and 29, respectively, of the Indian Arms rules.

The Magistrate will supply a copy of each of these to the Superintendent of Police. The Superintendent will furnish to each officer in charge of a police station an extract giving the parts that concern his jurisdiction.

XI—**Inspection of arms**—Weapons for which licenses have been granted under rules 28 and 29 shall ordinarily be inspected by a Magistrate while on tour, or by the Tahsildar. The fact of the inspection shall be endorsed on the license, and a report sent to the head quarters, to be entered in column 9 of the register opposite the name of each licensee, year by year.

A similar inspection shall also be made of weapons for which licenses have been granted under rule 27 (in Form XVI) In both cases the Inspecting Officer shall compare the weapon produced with the description of it entered in the license.

XII—In licenses granted in Forms XIV, XV, XVI, XVII or XVIII the description of the weapon shall be entered in full detail in the column provided for the purpose. It is not sufficient to enter the words "one gun" without any further particulars descriptive of the article.

Stamping of weapons—To facilitate the description of a weapon and its identification, the system of stamping the arms with a number, and a distinguishing letter or letters for each district has been generally adopted. With reference to the system the following instructions have been issued.—

- (1) Both a number and a letter should be used. Unless a letter is added it would be impossible to trace arms imported from districts other than that in which they are found.
- (2) The letter used must be a distinguishing one, e.g., it is not sufficient to use F. for Fatehpur; in this case the letters F. P. would be the distinguishing ones.
- (3) No number must be repeated, and the series used should apply to licenses in both Forms XVI and XVII or XVIII unless the number of the form (i.e., XVI or XVII or XVIII is also stamped on weapons.)
- (4) The arms should be stamped with steel punches which can be obtained from Roorkee, they should not be branded, as this practice disfigures them unnecessarily.
- (5) It is not necessary that the serial number of the license should correspond with that of the weapon.
- (6) It is unnecessary to enter in the license a detailed description of the weapon if the number and letters are entered.
- (7) It is unnecessary to mark weapons which already bear a distinguishing mark of some kind, e.g., the number and stamp of the vendor.

Annual grant, renewal and distribution of licenses in Form XVI.—
The following instructions are issued in order to facilitate the annual grant, renewal and distribution of arms licenses in Form XVI.—

1.—Application for licenses in Form XVI, or for renewal thereof, which are required to be written on impressed paper of the value of eight annas for each weapon in disarmed districts, and of four annas for each weapon in districts which have not been disarmed, should ordinarily be presented to a Magistrate or sent by post registered, so as to reach the District Magistrate by the 15th December in each year.

2.—If the application be for the grant of a new license, the applicant should, if necessary, be required to present himself in person. Otherwise the prescribed inquiry should be made, but for this purpose the agency of the police should be avoided.

3.—If the application be for renewal of licenses, no inquiry should ordinarily be necessary beyond a reference to the register in Form G., but the Superintendent of Police should bring to the notice of the Magistrate during the year any irregularity or breach of the rules framed under the Act, or of the conditions of the license, and an abstract of such report and of any orders which may have been passed thereon should be entered in column 9 of this register.

4.—The forms of license should be printed on stout, durable paper, procurable at the Government Press. It is not necessary to issue fresh forms annually in case of renewal, but it will be sufficient to endorse the old forms with a stamp bearing the words "renewed up to 31st December 19 ."

5.—Licenses should ordinarily be ready for delivery by 15th January at the latest; and it shall be optional for applicants to appear in person and take delivery on that date or on a date to be fixed by the District Magistrate, or to have them sent through the village chaukidars. The mode of exercising this option should be stated in the application for grant or renewal.

6.—Licenses to be delivered through village chaukidars should be sent through the office of the Superintendent of Police, accompanied by a list and a separate invoice of each license, to the officers in charge of the police stations within the jurisdiction of which the licensees reside. Each license with its invoice should be made over, for delivery to the licensee, to the chaukidars of the licensee's village on the occasion of the chaukidar's next periodical visit to the police station after the receipt of the licenses. The date of making over the license to the chaukidar should be endorsed on the invoice, and on the occasion of his following visit to the police station the chaukidar should return the invoice signed and dated by the recipient, and report the date of actual delivery.

7.—The list and invoices should be returned to the Magistrate through the Superintendent of Police, who should scrutinize them, and bring all cases to the Magistrate's notice in which more than a fortnight's delay may have taken place in the delivery of any license.

8.—Copy of the entries in Register G should ordinarily be furnished to the Superintendent of Police by the 1st February, for compliance with rule X, [page 197].

Form A

Store book of _____, son of _____, caste _____,
 resident of mauza _____, pargana _____, district _____,
 licensed to manufacture, convert or sell or keep arms, ammunition and military
 stores.

1	2	Description								
		3			4				5	6
		Firearms			Other weapons					
Date.		Guns	Pistols.	Others.	Swords	Bayonets	Daggers	Others	Ammu- nition	Military stores.
January 1st	{ In store Added to store Disposed of In store									
January 2nd										

NOTE.—Details not provided for in columns 3, 4, 5, 6, should be entered in M S

Form B.

Store book of _____, son of _____, caste _____,
 resident of mauza _____, pargana _____, district _____,
 licensed to keep and sell arms, ammunition and military stores.

1	2	Description.								
		3			4				5	6
		Firearms			Others weapons.					
Date,		Guns	Pistols.	Others.	Swords	Bayonets	Daggers	Others.	Ammu- nition.	Military stores.
January 1st	In store . Added to store Disposed of In store ...									
January 2nd										

NOTE.—Details not provided for in columns 3, 4, 5, 6, should be entered in M. S.

(OR FOR LARGE DEALERS)

Store Book

Month.	Date	Stock	.2 B-L. Pistols	12 M L Guns	303 Rifles.	.300 Rifles	Revolvers	32 automatic pistols.	.45, 12, 16, 28. cartridge cases	.48, 12, 16, 28 loaded cartridges	Loaded Rifle cartridge cases.	Rifle cartridge cases	Revolver cartridges.	Caps M L	Caps B L	197 cap anvils	303 cartridges	450 cartridges.	450 cases.	.577, .450 cartridge cases	Gunpowder.

G. O. no. 789—VI-236, dated the 8th March 1909

Form C.

Day book of _____, son of _____, caste _____,
 resident of mauza _____, pargana _____, district _____,
 licensed to manufacture, convert or sell or keep arms, ammunition or military stores.

1	2	3	4	5	6	7*
Date	Name of purchaser with father's name	Caste	Residence,	Articles purchased.	Price paid	Form and date of license held by purchaser, or if exempted from the operations of the Arms Act the grounds of exemption.

* The column was added by G. O. no. 3147-VI-1903, dated 23rd September 1890

Form D

Day book of _____, son of _____, caste _____,
 resident of _____ mauza _____, pargana _____, district _____,
 licensed to keep and sell arms, ammunition and military stores.

1	2	3	4	5	6	7*
Date	Name of purchaser, with father's name.	Caste	Residence	Articles purchased	Price paid	Form and date of license held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption

* This column was added by G. O. no. 3147-VI-1903, dated 23rd September 1890.

Form E

Register of license to manufacture, convert or sell or keep arms, ammunition or military stores in district

1	2	3	4	5	6	7				8	
Tahsil	No.	Name of licensee	Father's name, caste, &c	Place of business	Date	Result of inspections				Remarks	
						By Inspectors of Police					By Magistrates & Superintendents of Police
						Quarter—					
						1st.	2nd.	3rd	4th.		

Form F

Register of licenses to keep and sell arms, ammunition and military stores in district.

1	2	3	4	5	6	7				8
Tahsil	No	Name of licensee.	Father's name, caste, &c	Place of business	Date of license	Result of inspection :				Remarks.
						By Inspectors of Police		By Magistrates or Superintendents of Police.		
						Quarter—				
						1st	2nd	3rd	4th	

Form G.

Register of licenses to possess arms or ammunition and to go armed for purposes of sport, protection or display in district

1	2	3	4	5	6	7	8	9
Tahsil.	No	Date of license.	Name of licensee	Father's name, caste, &c	Residence	Number and description of weapons.	Description of ammunition	Remarks.

Form H.

Register of licenses to possess arms, ammunition or military stores in a district which has not been disarmed

1	2	3	4	5	6	7	8	9
Tahsil	No	Date of license	Name of license-holder	Father's name, caste, &c	Residence	Description of weapons	Where to be kept	Date of expiry of license

Form J.

Register of licenses to possess arms and ammunition for the purpose of destroying wild animals which do injury to human beings or cattle in district
crops

Tahsil	No	Date.	Name of license- holder	Father's name, caste, &c	Residence	Place for which license is va- lid	Weapon	Date of expiry of license	Note of Magistrate inspecting weapon and license					Remarks
									Years					
									1st	2nd.	3rd	4th	5th	

Information as to offences under—must be given in certain cases—All Magistrates are requested to cause the provisions of section 28 of the Arms Act, to be widely notified in their district, in order that the public may be made aware of the responsibility that the law imposes on them with regard to giving information of offences under the Act. The rules framed by this Government provide for the payment of rewards to all persons who may give information of the commission of offences, or who may assist in the arrest of offenders or the seizure of contraband article. These provisions should be notified at every tahsil and police station in each district, that all persons may know the risks that they run by omitting to give information of offences, and the rewards which may be earned by co-operating with the authorities.

All public carriers in each district should be informed of the responsibilities which are now specially imposed upon them by the second clause of section 28, with regard to packages or bales in transit which are suspected to contain arms, ammunition or military stores, in respect of which an offence against the Act has been or is being committed.

Confiscation of arms.—The discretionary power of confiscating arms conferred by section 24 of the Arms Act should be very considerably used. A mere breach of license is not ordinarily an adequate reason for confiscation, and junior Magistrates should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision.

Punishments under the Act.— Vide note (2) to sec. 24 of the Act page 57. Magistrates of districts should act systematically upon the orders cited.* Injudicious punishments for petty or venial offences against the Arms Act do much mischief and cause great hardship, and Commissioners and District Magistrates are responsible for superintending the proceedings of their subordinates in the matter. There is no reason why licenses to possess arms, especially for sport and the destruction of wild animals, should not be granted liberally to respectable landowners and to other persons of property and good repute in the country. And it is a matter of nothing more than common sense and discretion that inadvertent or immaterial breaches of the Act should receive from the Magistrate no more punishment than is necessary to maintain the law.

*As a rule, offences cognizable under the Act, which were due to ignorance or carelessness, would be sufficiently punished by fine; and imprisonment should not be awarded unless from the character of the offender or otherwise it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should continue to scrutinize the proceedings of their subordinates attentively, should take pains to see that the law is not worked harshly, and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated.

Returns of punishments — With a view to enable Commissioners to scrutinize the working of the Arms Act in their divisions, the following form showing the punishments, &c., inflicted by Magistrates for breaches of the provisions of the Act should be submitted by Magistrates to the Commissioner at the close of each month —

Return showing the punishments inflicted for breaches of the Arms Act.

District.	Name of person punished.	Section and clause of Act under which punished	Punishment awarded	Remarks by Magistrate
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Procedure to be followed in searching for arms — Owing to the incorrect view adopted by a Magistrate, that search for arms can only be made when it is shown that the weapons are likely to be used for an illegal purpose, the exact procedure which should be adopted in searching for arms is pointed out for the guidance of Magistrates.

Practically all the districts in the United Provinces have been disarmed. Consequently any one not coming under any exemptions, who has in his possession or under his control arms of any description, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby, is punishable under section 19 (f), Act XI of 1878, with imprisonment for a term which may extend to three years, or with fine or with both. As this offence is one cognizable by the police (vide schedule II of the Criminal Procedure Code), an officer in charge of a police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it, would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of office for the purpose (vide rule V at page 185 and pages 57 and 59).

More speculative searches are not of course authorized by the law. Before taking action the police officer must have reason to suspect the commission of the offence, and the Magistrate must either know or suspect that the offence, has been committed, or must receive a complaint or police report of facts which constitute the offence.

In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act

will not apply. Section 25 would cover the case of a person even lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger to the public peace. It appears "to refer to cases in which the Magistrate considers that arms, whether under a license or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace" (vide ruling in case of *Queen-Empress vs. Tegha Singh*, I. L. R., 8 Calcutta, page 473). If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded, as prescribed by the provisions of the section, which have been repealed by the High Court in the ruling in the case of *Queen-Empress vs. Sangam Lal* (Weekly Notes of March 6th, 1893).

Sale of arms by Government officers—It has been reported that officers of Government are often careless in the disposal of firearms and ammunition. Cases have occurred in which officers have sent rifles and rifle ammunition to be put up for public auction, and have allowed them to be so disposed of to persons not entitled to possess them. The Government of India have requested that severe notice may be taken of any such culpable negligence on the part of officers employed under this Government; and all officers are therefore warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

The Governor General in Council has decided that the substance of the following order of the Commander-in-Chief shall apply to all civil as well as military officers serving in the United Provinces of Agra and Oudh:—

"If any officer or soldier wishes to dispose of any arms or ammunition either by private sale or public auction, he will ascertain that the would be purchaser is a person entitled by law to possess the same, and if such person's name does not appear in the official Army or Civil List he will apply to the Magistrate or Deputy Commissioner of the district, or the local Political Officer, as the case may be, for permission for the transaction to take place."

Sale by public auction of guns or other arms in execution of decrees—The High Court, North-Western Provinces, Judicial Commissioner, Oudh, have prescribed the rule given below regarding the sale by public auction of guns or other arms in execution of decrees. On receiving such an intimation from a Civil Court is ordered in the rule, Magistrates should take action so as to ensure that the requirements of the Indian Arms Act and rules thereunder are not contravened.—

Whenever guns or other arms in respect of which licenses have to be taken by purchasers under the Indian Arms Act, XI of 1878 are sold by public auction in execution of decrees, the court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of of such arms, so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act.

Disposal of records relating to arms licenses—The following rules are laid down for the treatment of records relating to arms licenses.—

1. Application for licenses shall if the license be granted, be kept for one year from date of the expiry of the license, whether the license be annual or quinquennial. Thus an application presented in December 1884 for a license to carry arms in 1885 may be destroyed after December 1886. If the application is refused it shall be retained for three years from the date of refusal.

2. Papers regarding the deposit of arms in police stations under the provisions of section 16 of the Act shall be kept for five years from the date of the order of deposit.

3. Papers regarding the cancelling or suspension of licenses (section 18 of the Act) shall be kept for three years, unless there is any special reason for their retention for a longer period.

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases, and dealt with as such under the rules of the High Court or Judicial Commissioner, or of the Police department.

Annual Report.—Magistrates and Deputy Commissioners should prepare, at the close of each calendar year, and submit to the Commissioner, a report on the working of the Act during the year. This report should notice briefly the results of the various inspections prescribed by rule, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licenses granted; and generally any facts of importance connected with the working of this Act. The annexed forms should be filled in and submitted with the report.

It is the Commissioner's duty to review the district reports of his division, and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with necessary statements, and submit it to Government by the 1st of March. If any of the required information is wanting, the Commissioner should call for it before submitting his report.

- 6 Form XI license to manufacture, convert, sell or keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles)
- 7 Form XII, license to keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).
- 8 Form XIII, license to manufacture, convert, sell or keep and sell, breech-loading rifles, rifle ammunition or military stores for rifles.
- 9 Form XIV, license to keep and sell breech-loadings rifles, ammunition or military stores for rifles.
- 10 Form XV, license for the possession of fire-arms, ammunition or military stores
- 11 Form XVI, license for the possession of arms and ammunition and for going armed for the purpose of sport
- 12 Form XVII, license for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle.
- 13 Form XVIII, license for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.
- 14 Form XIX, license for going armed on a journey in or through any province.

Column 3.—In this will be entered all licenses in force on the 31st December of the year previous to that for which the return is submitted, whether the period of the grant expired on that date or not. The number will correspond with that in column 6 of the previous year's return.

Column 4.—The number of licenses entered in this column is the number of licensees in force on 31st December of the previous year (entered in column 3) which did not expire on that date

Column 5.—(a) Enter, with the following exceptions, licenses granted to persons who did not hold similar ones during the previous year *All* licenses granted during the year in Forms VII, VIII and XIX will be entered in this column, whether or no similar licenses were granted to the holders during the previous year.

(b) Enter licenses granted to persons who held one in the previous year in consequence of those licenses having expired at the end of it

Column 6.—Will be the total of columns 4 and 5 (a) and (b) *minus* the number in column 5 (c)

Column 7.—Note that those arms only held under a license in force at the end of the year are to be entered. Thus arms held under a license in Form XIX (to go armed on a journey) which expired during the year or under any other license entered in column 5 (c) would not be included in this column.

Column 8.—Supensions of licenses should be ignored in filling up columns 3—7 and noticed in column 9, "Remarks." Licenses which are merely suspended are not to be held as "void."

Column 9.—If a license in Form XI or XII is granted to cover arms only or military stores only, this should be noted in columns of "Remarks."

Form I.

for the year 19

Number of persons punished under—										Number and description of weapons confiscated.										Amount paid as rewards to informers, &c.		Remarks																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
Section 19, for offences under—										Section 20, for secret breaches.										Section 21, for breach of license										Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.										Section 23, for breach of rule										Section 28 for failure to give information as required in section 23.										Total punished (columns 1 to 14).										Rifles										Smooth-bore guns.										Pistols.										Swords										Bayonets.										Daggers or knives.										Spears.										Others.										Value of fines imposed and realized										From Magistrate's special grant.										From police reward budget																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		23	24	25	26	27																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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NOTE.—Columns 16 to 23 cover only weapons confiscated under section 84, Act XI of 1878, after conviction of an offender. The number of weapons confiscated under section 16 should be entered in column 27.

Rules for the Export, Import and Transport of Arms, Ammunition and Military Stores on Railways passing through Native States—printed as an Appendix A to U. P. Local Rules and Orders.

(For. Dept. No 35731, dated 29th October 1895.)

WHEREAS the Rulers or Administrators of the States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction within the lands which lie within their respective territories, and are occupied, or may be hereafter occupied, by the railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other railway purpose) : In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the following rules shall be in force on the said lands :

1.—In these rules “arms,” “ammunition” and “military stores” have respectively the meanings assigned to them in the Indian

Definition.

Arms Act (XI of 1878), except that the expression “military stores” includes sulphur when in quantities exceeding 10 seers in weight, and leaden bird shot and bullets when possessed in quantities exceeding one hundred weight at any one time.

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands

“Transport” means transmission by rail from one station in the said lands to another station in the said lands.

Explanation.—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

II.—**Export.**—(a) The export, without the special permission of the Political Agent, of arms, ammunition or military stores, is forbidden.

(b) Station masters to whom arms, ammunition or military stores, unaccompanied by evidence of such special permission, are tendered for despatch shall detain them and report the matter, through the Superintendent of Railway Police, for the orders of the Political Agent.

III.—**Import.**—When any arms, ammunition or military stores are imported they shall not be delivered to any importer or consignee unless—

(a) the importer or consignee produces the original license issued by the Secretary to the Government of India, Foreign Department, or other competent authority, authorizing the export of such arms, ammunition or military stores from British India and their import to some station within the lands above referred to, and

(b) the senior police officer at the station at which the arms, ammunition or military stores have been received has compared the consignment with the license and authorized the station master to make delivery.

For the purpose of making the comparison required by clause (b), the Police officer shall have power to open any package which he thinks suspicious.

IV.—Every station master shall give information to the officer mentioned in clause (b) of the preceding rule of the arrival at his station of any consignment of imported arms, ammunition or military stores.

V.—A station master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

VJ.—Transport—No license shall be necessary in respect of arms or ammunition; but when any arms, ammunition or military stores are transported, immediate information regarding such transport shall be given to the senior Police Officer, if any, at the station of despatch and receipt by the station masters concerned.

VIII.—Carrying of Arms by passengers.—Arms shall not in ordinary cases be taken from passengers; but if a station master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time, before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms. If the passenger gives up his arms, they shall be labelled with the name and description of the owner entered in the roadway bill, and delivered free of charge to the owner at his journey's end.

Provided that no person who has been duly exempted from the operation of section 13 to 16 of the Indian Arms Act (XI of 1878) or has a license to carry arms granted by competent authority, shall except in the case of evident and undoubted necessity, be asked to give up his personal arms under this rule.

VIII.—Obligation to give information.—Every person employed upon the railway shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest Police Officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being, committed.

IX.—Penalties.—(i) Whoever commits any of the following offences, namely:—

- (a) exports any arms, ammunition or military stores without obtaining the special permission of Political Agent required by rule II,
- (b) imports any arms, ammunition or military stores without a license of the nature referred to in rule III,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(ii) Whoever commits any of the following offences, namely:—

- (a) imports any arms, ammunition or military stores in excess of the quantities entered in the license referred to in rule III,
- (b) imports after the expiration of the period for which such license has been granted,

(c) omits to give information as required by rule VIII,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

X.—Confiscation of arms, &c.—When any person is convicted of an offence under the last preceding rule it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms, ammunition or military stores in respect of which the conviction is obtained, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

XI.—(1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In each case notice calling upon the importer or consignee to appear and to produce the license referred to in rule III shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

XII.—The order of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

XIII.—Rewards—(1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person, whether in the employ of a railway company or not who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

XIV.—Nothing in the foregoing rules shall apply to the import of any arms, ammunition or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India, stating that they are consigned to the ruler of a State mentioned in the second column of the schedule hereto annexed

The Schedule.

Railway.	State.
1	2
Bhopal-Ujjain Railway (Great Indian Peninsula Railway—Indian Midland Section).	Indore Gwalior Bhopal Dewas (Senior Branch) Dewas (Junior Branch).
Godra-Rutlam-Nagda Railway (Bombay-Baroda and Central India Railway)	Indore. Jhabna Rutlam Sailana
Bina-Godra-Boran Branch. (Great Indian Peninsula Railway) Great Indian Peninsula, (Indian Midland) Railway—	Gwalior.
(1) Jhansi-Agra Section	Dholpur. Dattia.
(2) Jhansi-Bhopal Itarsi Section	Gwalior Bhopal Gwalior Khamadhana Kurwai Orchha
(3) Jhansi Cawnpore Section	Samthar
(4) Jhansi-Manikpur Section	Alipura Garraul. Orchha Pahra Tarain.
Bombay-Baroda and Central India (Rajputana-Malwa Railway)—	
(1) Cawnpore Achnora State Railway	Bhartpur
(2) Holkar State Railway (North of Nerbudda)	Indore
(3) Neemuch-Nusseerabad State Railway	Gwalior. Meywar. Tonk.
(4) Rajputana State Railway	Bhartpur. Jeypur. Kishanganrh Ulwar.
(5) Sindhia-Neemuch State Railway.	Dhar Gwalior. Indore. Jaora. Rutlam. Sailana.
(6) Western Rajputana State Railway	Baroda. Jodhpur. Palanpur. Sirohi.

APPENDIX. C

The annexed list shows what licenses can be granted in the United Provinces under the Arms and Explosives Acts

Serial number.	Object desired by person requiring a license.	Licenses necessary to be taken out to effect the object desired.			Remarks.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).		
1	2	3	4	5	
1	Arms and ammunition—to go armed on a journey.	Not required, the ammunition being possessed in reasonable quantities for private use [vide rule 11(3) of the Explosives rules].	Form XIX.		
2	Arms and ammunition—to possess and to go armed.	Not required, the ammunition not exceeding in amount the quantities named in rule 11 (3) of the Explosives rules.	Form XVI.		
3	Arms and ammunition—to possess for the purpose of destroying wild animals.	Ditto	Form XVII and XVIII.		
4	Arms (firearms), ammunition and military stores to possess in a district which has not been disarmed.	Ditto	Form XV.		
5	Arms, ammunition and military stores to keep and sell.	Form B in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition) class in quantities not exceeding at one time 200 lbs of gun-powder and any quantity of explosive contained in ammunition; otherwise Form L in addition to Form F or J.	Form XII or XIV.		If a person wishes to carry a firearm or other weapon in a district which has not been disarmed, a license in Form XVI, XVII or XVIII is necessary. A license under Form XV is necessary to enable a person to possess (without carrying) firearms. No license is required to cover possession of other weapons.
6	Arms, ammunition and military stores—to manufacture, convert or sell or keep.	Form A in the case of gunpowder or of an explosive of the 1st division of the 6th ammunition class in quantities not exceeding at one time 200 lbs. of gunpowder and any quantity of explosive contained in ammunition.	Form XI or XIII.		
7	Arms, ammunition or military stores to transport.	Not required [vide rule 11(3)(a) of the Explosives rules]	Form VIII, subject to the exemption in rule 20(2)(b), page 15 ante.		For rules regulating the transport of ammunition, the packing and mode of conveyance, see the Explosives

8	Arms, ammunition or military stores—to import by river or land.	Ditto	...	Form III	...	Ditto	Can be granted only by the Secretary to the Government of India, Foreign department, or by any other office especially empowered under rule 18, in the case of export to a Native State within the political control of the Local Government, a Secretary to Government, United Provinces of Agra and Oudh, has been so empowered (page 16 ante), and in certain cases the Lieutenant-Governor's Agents (page 14 ante), the District Magistrate of Meerut has been also empowered to grant such licenses under certain conditions, schedule V.]
9	Arms, ammunition or military stores—to export by river or land.	Ditto	...	Form VII	...	Ditto	See exemptions noted in rule 11 (3) Explosives rules. In such cases a license would be required under the Arms Act only, in appropriate form.
10	Explosives, other than those of the 1st (gunpowder) class or of 1st division of the 6th (ammunition)* class, or of the 7th (firework) class, or of the 5th (fulminate) class—to possess in quantities not exceeding 60 lbs. at a time.	Form F	...	Form F must be endorsed to have the effect of a license in Form XII, excluding all provisions as to sale and as to arms and military stores.*	...	Ditto	Magazine licenses in Form J are granted by the Commissioner of divisions. Licenses for the possession of explosives of the 5th (fulminate) class (an only be granted by the Governor-General in Council.
11	Explosives generally other than those of the 5th (fulminate) class—to possess.	Form J	...	Form J must be endorsed to have the effect of a license in Form XII or XIV, excluding all provisions as to sale and as to arms and military stores.	...	Ditto	No license is required under the Explosives Act for the mere possession of fireworks if obtained and intended for immediate use kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety (vide rule 11 (d), Explosives rules).
12	Explosives of classes are in quantities other than those referred to in serial nos. 13, 16 and 17—to sell	Form L, in addition to holding Form F or J, as the case may be	...	Form L (as well as Form F or J) must be endorsed to have the effect of a license in Form XII or XIV, excluding all provisions as to arms and military stores.*	...	Ditto	
13	Fireworks to manufacture, sell and possess in quantities not exceeding 200 lbs. at a time.	Form D	...	Form D must be endorsed to have the effect of a license in Form XI, including all provisions relating to arms and military stores.*	...	Ditto	
14	Gun powder and fuses for blasting purposes—to possess and transport	Form C or F, or J according to the class or quantity of the explosive noted in Rule 11 (3) of the Explosives Rules.	...	Form C or F or J must be endorsed to have the effect of a license in Form IX. Or a license must be granted in Form IX, and if the licensee only required an explosive in certain quantities for his own use, he would be exempt from taking out a license under the Explosives Act [rule 11(3), Explosives rules]	...	Ditto	

APPENDIX C - (concluded).

Serial num-ber.	Object cleared by person requiring a license	Licenses necessary to be taken out to effect the object desired.		Remarks
		Under the Explosive Act (IV of 1884)	Under the Arms Act (XI of 1878)	
1	2	3	4	5
15	Gunpowder or an explosive of 1st division of the 6th (ammunition)* class—to possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosives contained in the ammunition	Form C	Form C must be endorsed to have the effect of a license in Form XIV or XII, excluding provisions as to possessing arms or to going armed.	See exemptions noted in rule 11 (3). Explosives rules in such cases a license would be required under the Arms Act only in the appropriate form.
16	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to sell and possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form B	Form B must be endorsed to have the effect of a license in Form XII or XIV, excluding all provisions as to arms and military stores.*	
17	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to manufacture, sell and possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosives contained in the ammunition	Form A	Form A must be endorsed to have the effect of a license in Form XI or XIII, excluding all provisions as to arms and military stores.*	See exemption in rule 10 (2) (a) and (b) and rule 30, Explosives rules.

* Safety cartridges, safety fuses for blasting, railway fox-signals, and percussion caps (cf page 50, Explosives)

+ Covers sulphur in quantities above 10 seers, and in districts on the external land frontier saltpetre and lead (cf schedule II ante)

‡ In other cases licenses for manufacture can only be granted by the Governor General in Council (vide rule 15 of the Explosives rules) See also the exemptions in rule 10 (a, and (b) and in rule 30.

* Cf. Explosives rules

APPENDIX D.

(See schedule VI on page 34 ante.)

A list of Native States under the control of the Punjab Government together with the names of the Political Agents to whom copies of licenses issued should be forwarded under rule 18 clause (3) is given below :—

No.	Native States.					Political Agents.
1	Patiala	Secretary to Government, Punjab
2	Bahawalpur	...	...	...	...
3	Jhind	...	...	...	...
4	Nabha	...	...	...	...
5	Kapurthala	Commissioner, Julandar Di- vision.
6	Faridkot	...	...	...	...
7	Mandi	...	...	...	...
8	Suket	...	...	...	...
9	Chamba	Commissioner, Lahore Di- vision.
10	Maler Kotla	Commissioner, Delhi Di- vision.
11	Kalsua	...	...	...	...
12	Loharu	...	...	...	...
13	Dejansi	...	...	...	...
14	Pataudi	...	...	...	...
15	Sirmur (Nahan)	...	...	...	...
16	Kahlur (Bilaspur)	...	...	...	...
17	Bashahr	Superintendent, Simla Hill States.
18	Hindur Nalagarh	...	...	...	...
19	Keonthal	...	...	...	...
20	Baghal	...	...	...	...
21	Baghat	...	...	...	...
22	Jabbal	...	...	...	...
23	Kunharain	...	...	...	...
24	Bhaji	...	...	...	...
25	Manlog	...	...	...	...
26	Balsan	...	...	...	...
27	Dhami	...	...	...	...
28	Kuthar	...	...	...	...
29	Kunhar	...	...	...	...
30	Mangal	...	...	...	...
31	Bija	...	...	...	...
32	Darkuti	...	...	...	...
33	Taroch	...	...	...	...
34	Sangri	...	...	...	...

LOCAL RULES AND ORDERS.—PUNJAB.

For exemptions.—See pages 112 and 113.

Chavis and Gandasas—Vide notes (19) and (20) to section 4 of the Act [page 24].

The Lieutenant-Governor has decided that the executive authorities will be acting within the provisions of the law if they treat the weapons known as *chavis* as arms for the purposes of the Indian Arms Act, 1878, and the rules thereunder; and he is pleased to direct that they shall henceforth be so treated except in the two Frontier Divisions of the Province, subject to the instructions which follow.

2. The Scheduled Districts of the Punjab have been withdrawn from the operation of all prohibitions and directions contained in section 13 of the Act, which does not, therefore, apply to the tracts of Lahaul and Spiti. Clause 2 of section 32 of Act No. XXXI of 1860 did not at the time, when Act XI of 1878 came into force, apply to the districts of Simla and Kangra, and section 15 of Act XI of 1878 has not subsequently been extended to either district. The result, then, of the ruling contained in paragraph 1 of this letter in the four Cis-Indus Divisions of the Province is that the executive authorities are instructed to assume that the law is as follows.—

(Except in Lahaul and Spiti) no person shall go armed with any *chavi* except under a license and to the extent and in the manner permitted thereby (section 13 of the Arms Act)

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police officer or other person empowered by the local Government in this behalf by name or virtue of his office (section 13).

(Except in the Simla and Kangra Districts) no person shall have in his possession any *chavi*, except under a license and in the manner and to the extent permitted thereby (section 15 of Arms Act). The rest of the Act and the rules thereunder are similarly to be assumed applicable to *chavis* in the same way as to other arms. To go armed with such a weapon contrary to the provisions of section 13, or to possess such a weapon contrary to the provisions of section 15, is to commit an offence under section 19 (e) (f) or section 20, as the case may be, and an offence which in either case is cognizable by the Police (Schedule II to the Criminal Procedure Code, 1898).

3. It will, be the duty of Commissioners and District Magistrates to see that the Crown is adequately represented at all stages in every case in which the application of the Arms Act and rules to *chavis* is likely to come in question before the Courts, and that every case in which a judicial ruling on the subject has been given, whether by a Civil or a Criminal Court, is promptly reported to Government. It remains to indicate the lines on which the law, as interpreted in paragraph 1 of this circular, should be enforced.

4. The Lieutenant-Governor thinks it undesirable that there should be any general house searches to discover *chavis* improperly possessed though he does not intend to prohibit search under section 25 when definite information has directed attention to particular houses, or when the perpetration of crimes of violence in which weapons of the kind have been used is traced to particular localities. The objection is to general searches without special reason. A person found carrying a *chavi* contrary to the provisions of section 12 or section 13 may always (subject to the remarks on the subject of notice of the next following paragraph) be deprived of his weapon by a properly authorised person; and similar weapons found in the course of properly authorized searches may always be taken away by the police in the exercise of their preventive authority, even if no prosecution in respect to them is instituted. The Lieutenant-Government is, however, pleased to direct that no seizure of an unlicensed *chavi*, whether in the exercise of the preventive authority conferred by section 149, Criminal Procedure Code, or under section 13 of the Arms Act, should be made by any police officer below the rank of sergeant.

5. The first step to take, however, is to issue a proclamation in each district concerned warning the people that they must apply within one month for licenses in respect to *chavis*, or deposit them with the officer in charge of the nearest police station.

6. Licenses in Form VIII [present form XVI] should be freely granted for purposes of protection or to respectable persons, and in circumstances where it seems likely that the deprivation of *chavis* would tend to encourage rather than diminish crimes of violence by taking away from the well-disposed the means of defending themselves. The question of abolishing the levy of fees for licenses in Form VIII, whether for *chavis* or for other arms, is under the Lieutenant-Governor's consideration, but for the present it will be necessary to follow the existing rule on the subject.

7. Prosecution should not for the present be generally instituted, and where instituted they should be conducted with caution and carefully watched. Short of prosecution for a breach of the Arms Act, it is always open to the District Magistrate to instruct the police to take persons found carrying *chavis* before the nearest Magistrate, in order that he may satisfy himself as to their antecedents and ascertain whether security ought to be demanded from them under section 107, 109 or 110 of the Criminal Procedure Code, and instructions to this effect might be given to all Police officers not below the rank of officers in charge of stations.

8. In the districts of Lahore, Amritsar and Ferozpur the instructions of this circular in respect to *chavis* should be carried out in regard to long handled *gandasas* also. As regards other districts, I am to say that the long handled *gandasa* is, in some places, a weapon almost, if not quite as formidable as the *chavi* and used, like the *chavi*, for purposes of offence, and not, as elsewhere, as an agricultural implement, and where this is the case, the District Magistrate would be similarly justified in treating it as a weapon coming under the provisions of the Arms Act. If, therefore, any Deputy Commissioner thinks it desirable to proceed on these lines in regard to any such weapon which is not capable of being classed as a *chavi*, he should refer the matter, through the Commissioner, for the orders of Government, stating what definition he proposes and the reasons for the measure.

9 Commissioners should keep a careful watch on the manner in which Deputy Commissioners in their Divisions give effect to the instructions contained in this circular.

10 The Inspector-General of Police will be requested to notice the effect of the measures now to be taken against *chavis* and *gandasas* in the Police Administration Report for the current year.

(Punjab Govt. letter No. 12 1309, dated the 29th Sep. 1899)

As there has been some misapprehension as to the purport of the letters mentioned on the margin regarding the treatment of Punjab Govt letters Nos 12-1309, dated 29th Sep 1899 and No 1354, dated 14th Sep 1900, *chavis* and *gandasas* as "arms" under Act XI of 1878, I am directed to address you as follows.

2. As noted in the Chief Court's decision, No. 16 of 1900, (page 42) any weapons or instruments carried or possessed for the purpose of offence and defence come under the category of "arms." The more common weapons and instruments which when carried or possessed by individuals may universally be presumed to be so carried or possessed for purposes of offence or defence are specified in section 4 of the Act, but the list there given is not exhaustive, and the Local Government in 1899, after considerable enquiry, concluded that (a) *chavis* throughout the Province and (b) long-handled *gandasas* in the Lahore, Amritsar and Ferozpur Districts were so very rarely carried or possessed except for purposes of offence and defence, that the executive officers of Gov-

ernment might properly treat these weapons as "arms" within the meaning of the Act. District Officers were accordingly, in paragraph 8 of this office letter No. 1302, dated 29th September 1899, authorised to treat these weapons as arms.

3. It was not intended by the instructions above described to limit the action of District Officers to the weapons there mentioned. It is still open to them to take action under the arms Act either :

(a) generally as regards weapons in respect of which they may have received authorization under the last sentence of paragraph 8 of the letter of 29th September 1899, or

(b) in particular instances as regards weapons or instruments of any description which in those particular cases appear to be possessed or carried for purposes of offence or defence.

I am to add that action under (b) can be taken by Deputy Commissioners without reference to higher authority.

(Punjab Govt. cir. No. 5-1125, dated the 16th October 1903).

The Hon'ble the Lieutenant-Governor has been pleased to prescribe the following rules for close season for game in the Punjab.

In pursuance of the provisions of rule 20, published in Notification No 518 of 6th March 1879, and issued by the Governor General in Council under Section 7 of the Indian Arms Act (No. XI of 1878), the Lieutenant-Governor of the Punjab is pleased to prescribe the following rules regarding a close season for game in the Punjab.

1. The close season for the game noted in rule 2, shall be throughout the Punjab from 16th March to 16th September, both days inclusive.

2. Such close season may be prescribed in the case of game of the following classes, but, subject to the provisions of rule 3, there shall be no close season for any other birds or animals.

Partridges of all kinds.
Sand grouse.
Pea fowl.
Jungle fowl.

Pheasants.
Bustard.
Floricorn.
Hares

3. In accordance with the above rule, the Deputy Commissioner of the district shall cause the description of such game only as he considers to need protection in his district to be endorsed on the reverse of the license granted under Section 13 and 16 of the rules made by the Government of India. The close season will then apply, in respect of the license-holders and in the district where the license is granted, to game of the descriptions so endorsed.

4. In all districts in which the Deputy Commissioner considers it desirable, a condition may be endorsed on the license, that deer, wild sheep and goats shall not be shot during the breeding season. The license-holder will then be bound to observe such conditions

(Government of Punjab, Notification No. 711½ dated the 18th February 1880).

The following revised rules which have been made by His Honour the Lieutenant Governor under the Indian Arms Act, 1878 (Act XI of 1878), are hereby published for general information, in supersession of the rules published with Punjab Government notification No. 1958, dated the 19th of May 1879 :—

RULES.

POWERS.

For paras I, II and III see notes to sections 6, 25 and 30 of the Act [pages 44, 57 and 59].

IV.—Stock and account books to be kept by licensed manufacturers and dealers. All persons holding licenses to manufacture, convert, keep and sell arms,

ammunition or military stores shall keep up stock books and accounts of receipts and issues in the forms A and B of the appendix to these rules; and all persons holding licenses to keep or sell arms, ammunition or military stores shall maintain stock and account books in forms C and D.

The pages of these books are to be numbered, and before any entries are made the books shall be exhibited, together with the manufacturer's or dealer's license, to the Magistrate of the district or to a subordinate Magistrate.

Such Magistrate will sign the first and last pages of each book and seal them with his official seal.

V.—The shops, premises and stocks of all licensed manufacturers and dealers shall be inspected once in every quarter by a police officer not below the rank of Assistant Superintendent of Police or Inspector where there is no Assistant Superintendent, and once at least in every year by the Superintendent of Police.

At the time of inspection the books shall be initialed by the inspecting officer.

Any irregularity or breach of the rules which may be noticed shall be at once reported to the Magistrate of the district.

VI—On receiving notice of a sale under clause 2, section 5, by a person lawfully possessing arms to any person not prohibited from possessing the same, the Magistrate or Police officer may make inquiries as to the correctness of the purchaser's name and address, and if necessary, obtain a report from the Superintendent of Police of the district in which the purchaser lives.

VII.—Arms deposited in police station.—When any arms, ammunition or military stores have been deposited at a police station under section 14 or 16 of the Act, the officer in charge of the station shall affix to each weapon or article a ticket showing the name of depositor and the date of deposit and shall give the depositor a duplicate copy of the same.

After seven days, if the owner has not obtained a license authorising him to possess them, the arms, ammunition or military stores shall be forwarded to the headquarters of the district and kept in the malkhana of the Magistrate of the district or in the Police Magazine.

The sheriff or other ministerial officer to whom they are entrusted shall keep a register in which the articles so deposited shall be described and entered under serial numbers, and fresh tickets shall be affixed showing the owner's name and the corresponding number of the register.

VIII.—Arms and military stores seized.—Arms, ammunition or military stores seized under section 11, 25 or 26 shall be similarly dealt with. ●

IX.—Disposal of confiscated arms. Arms, ammunition or military stores that have become forfeited to His Majesty under sections 14 and 16, or that have been confiscated under section 24, shall be disposed of as follows:—

(1) Arms, ammunition and stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunition or stores not disposed of under the provisions of clause. (1) shall be destroyed.

X.—Rewards to informers. When any arms or other articles are confiscated under section 24, the convicting Magistrate shall, immediately upon conviction, pay a reward of not less than half the value of the confiscated articles to the person or

persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offenders and seizure of the arms or other articles.

Such payments will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills.

XI.—Any Magistrate convicting an offender of any offence under the Act may at his discretion grant a reward not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.

XII.—Registers of Licenses Every Magistrate of a district shall keep up in form E of the appendix to these rules a register of all licenses to manufacture, convert keep or sell, granted by him under rule 11 of the rules issued by the Government of India, and shall keep up in form F, a register of all licenses to keep or sell granted by him under the same rule.

All Superintendents of Police shall keep up similar registers in English. Magistrates of districts will supply to their Superintendents of Police copies of all such licenses issued by them.

The Superintendent of Police will furnish to each officer in charge of a police Station copies of extracts, columns Nos (1) to (6) giving the names, &c, of persons licensed within his jurisdiction

XIII.—All inspections of the shops, premises and stocks of licensed manufacturers and vendors by Inspectors of Police or superior officers shall be reported to the Magistrate of the district and shall be entered in the registers.

XIV.—Registers of licenses granted by the Magistrate of the district under rules 13, 15 and 16 of the rules made by the Government of India shall be kept up by him in forms G, H and I respectively.

Similar registers will be kept up in English by the Superintendent of Police, to whom the Magistrate of the district will furnish copies of all such licenses granted by him.

The Superintendent of Police will supply each officer in charge of a station with an extract giving the parts of each register which concern his jurisdiction.

XV.—In place of the returns prescribed in circular No—7—669, dated 26th April 1867, and No. 12—944, dated 21st June 1867, the Lieutenant-Governor is pleased to direct that the forms K, L of the appendix to these rules be used.

Both returns will be prepared for the calendar year, and be submitted through Commissioners to the Inspector-General of Police

(Government of Punjab Notification No. 943.—dated the 10th July 1907).

The existing orders as regards the application of the Arms Act to native officers and soldiers are summarized below, and this summary should be substituted for that given in this office Circular No. 1303 of 5th November 1906.

2. (a) All retired officers and non-commissioned officers of the native Army who are in receipt of a pension as such or who, not being in receipt of a pension, have been recommended by their commanding officers for exemption, are with certain reservations exempted from the operation of the prohibitions contained in section 13—16 of the Indian Arms Act of 1878 (see Enclosure 1 below)*, that is to say, speaking generally, from the necessity of obtaining a license for going armed or possessing arms (see Enclosure II below)†.

* Enclosure I. Extract Sections 13—16 of Act XI of 1878—printed on pages 46-8

† Enclosure II. Extract from Schedule I [clauses (3), (5) and (6)] to the rules issued under Home Department notification No. 3102 dated the 16th August 1909—printed on pages 90-2,

(b) Indian soldiers on furlough may, if provided with a pass from the officer Commanding, be in possession of one gun and 20 cartridges (see Enclosure III)†

(c) Retired soldiers and reservists are not (except as regards the kukris of Gurkhas) exempted from any of the provisions of the Arms Act. They are on the same footing in respect of the Act as the public at large, except that a reservist who desires a license must apply through the Commanding Officer of his late regiment, and a Magistrate who is not prepared to give a license to a reservist should communicate his reasons to the Commanding Officer

3. The information supplied to the District Magistrate under article 692 Army Regulations, India, volume II (see Enclosure III)† should be communicated by that officer to the Superintendent of Police

Government, of Punjab No. 899 S., dated the 29th June 1910

The attention of the Lieutenant-Governor has been recently drawn to the necessity for the stricter enforcement of the law against the unauthorised possession of arms in the province. The matter is one in which Government must chiefly depend on the vigilance of the Police, and it has been suggested that one means of furthering the object in view is to institute a system of liberal rewards for information leading to recovery of arms in unlawful possession.

In Punjab Government notification No. 943, dated the 10th July 1907, certain rules under the Arms Act were framed, X and XI of which contained orders regarding the payment of rewards by Magistrate in cases which come before them. So far as can be ascertained, these orders have, to a great extent, been lost sight of, and the attention of all officers concerned is accordingly directed to the subject. It is of great importance that rewards should always be paid for information leading to the recovery of arms in unlawful possession, and that these rewards should, if anything, err, on the side of liberality. It is not proposed to lay down any scale of rewards or to restrict the amount of a reward to that payable under the rules quoted above. A reward payable under these rules can, and should, be supplemented whenever expedient from other sources, e. g., the Police grant for rewards, and discrimination should be used in fixing the amount of the reward which latter need not bear an exact relation to the value of the weapon recovered. The recovery of a cheap revolver might, in certain circumstances, be a matter of far greater importance than the recovery of a valuable military rifle.

There are obvious objections to the exhibition of too much energy in the direction of advertising the fact that liberal rewards will be paid for information leading to the recovery of illicit arms, but District Magistrates and Superintendents should exercise their discretion in this connection and enlist the aid of *khildars*, *humbardars* and native gentlemen of the district, rather than work through ordinary informers.

* * * * *

(Government of Punjab No. 6—270, dated the 21st October 1910)

† Enclosure III Extract from articles 686—693 of the Army Regulations, India, volume I,—printed on pages 99 to 101

FORM A.

Stock book of _____, son of _____, caste _____, resident of _____, licensed to manufacture, convert, sell or keep arms, ammunition or military stores.

1	2	3	4	5	6	7	8	9	10	10	12
Date.	PARTICULARS	DESCRIPTION.						Ammunition.	Military stores, including, lead, sulphur and saltpetre	Name and address of the dealer or firm supplying the articles received.	Signature of licensee.
		Fire-arms.		Other weapons.							
		Guns	Pistols.	Swords.	Bayonets.	Daggers.	Other.				
January 1st	In store— Manufactured Received ...										
February 2nd	Disposed of . In store ...										

FORM B.

Daily sale book of _____, son of _____, caste _____, resident of _____, licensed to manufacture convert, sell or keep arms, ammunition and military stores

1	2	3	4	5	6	7
Date.	Name and father's name of purchaser.	Caste and profession of purchaser.	Residence of purchaser	Articles purchased.	Price	Signature of purchaser and dealer.

FORM C.

Is the same as form A, except that in heading for words "licensed to manufacture," &c., read "licensed to keep and sell," &c., and in column 2 omit the word "manufacture."

FORM D.

Is the same as form B, except that heading for the words "licensed to manufacture," &c., read "licensed to keep and sell," &c.

THE INDIAN ARMS ACT MANCAL.

FORM K.

Return of licenses granted under Act X of 1878 in the district of -

for the year.

1		2	3	4	5	6	7	8
DETAIL OF LICENSES.		Number of licenses in force last year.	OPERATION OF THE YEAR			Number in force at end of present year.	Remarks by Deputy Commissioner	Remarks by Commr.
			New license.	Renewed licenses.	Revoked or suspended.			
1	In form II to transport arms, ammunition or military stores							
2	In form VI to manufacture, convert, or sell or keep							
3	In form VII to keep and sell							
4	In form VIII to possess arms or ammunition and to go armed for purposes of sport, protection or display.							
5	In form IX to go armed on a journey							
6	In form X to possess arms, ammunition or military stores in a district which has not been disarmed							
	In form XI to possess arms or ammunition for the purpose of destroying wild animals							

FORM L.

Annual statement of the operation of the Arms Act XI of 1878, in the district of _____
for the year. _____

NUMBER OF PERSONS PUNISHED UNDER.											NUMBER AND DESCRIPTION OF WEAPONS CONFISCATED.													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Section 19, for offences under																								
Section 20, for secret breaches																								
Section 21, for breach of license																								
Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.																								
Section 23, for failure to give information as required in section 23.																								
Total punished (columns 1 to 13).																								
Rifles.																								
Smooth-bore gun																								
Pistols.																								
Swords.																								
Bayonets																								
Daggers or knives.																								
Spears.																								
Others.																								
Value of fines imposed and realised.																								
Amount paid as rewards to informers, &c																								
REMARKS.																								

**This return will be submitted yearly through Commissioners to the Inspector-General of Police
Deputy Commissioner.**

Under clause III (c) of the G. of I. notifn No. 518 of the 6th March 1879, it is hereby notified that the prohibitions and directions contained in sections 13 and 14 of the Indian Arms Act, 1878 do not apply to the undermentioned villages on the border of the Hazara District.

Tahsil.	Tract.	Village
	Kagan	Sangar, Ghanul, Hangrai, Bela Kawai, Bhunja, Jared, Manur, Phagal, Kamalbun, Bhutaudea, Kagan
	Bhogarmang ..	Bhogarmang, Nhamung, Chitta Batta Bakki, Rathu, Kumbar Doga, Judrai, Giran Thali, Buzu Bela, Ihula, Kanog, Bavi Bahak, Jahauri, Serian Kumashian, Kihar Sacha Sacha Kilan, Sacha Khurd, Kalas Richari, Banda, Bunda Chinsuch, Pinjal, Jachha, Jabbar
	Kounah	Ichharan, Tarkual, Koth Tari, Kund Tari, Karmang Tari, Jalgal, Kaumang Utta, Gorian Amsera, Riv, Soluna, Bai Tari, Chunarkot, Haroi Khakha, Batual, Chulundri Saldhar Shakura, Khan, Malka Galli, Hilkot Sithaulsadda, Rund Utta, Shahal, Dheri, Bhalai, Malukra, Kandla, Pachinang, Nasordi, Dheri Satulla, Sharkuli, Bahinang, Bausacha, Chhapri, Bagru, Dheri Halmi, Nilan Bhaleja.
	Balakot	Bhattika, Jahn, Laso Sultani, Koara, Lasso, Batsari Sohal Mazulla, Basian, Sohal Najafkhan, Taranna Haasa, Bagnohri, Nankot, Balakot Guhora.
	Ghari Habibulla	Doga, Sial Bhurj, Karuul Barokot, Lunda, Ghari Habibulla, Batoro, Kashtra, Hisari, Jabbi, Gul Maira, Sukhdaro, Balola, Talat, Kat Phalla.
	Shinkari ..	Dharial, Tanda, Shinkari, Beladi, Shanai, Dhudial, Pirda Banda, Bajua, Inayatbad, Baffi, Guli Bagh, Hafiz Baudi Talit, Jamshirian, Lang, Maira Jia, Gandhian, Chitti Qatti, Temi, Jabha, Machhapul, Mungon, Hathi Maira,
Mansehra	Agror	Shamdara, Mahakra, Ughi, Bazar, Maloga, Haji Kumar, Dhara, Arbora Bandi, Ghadaur, Kithu, Nui Bandi, Chajjur Uta, Phiganda-Banda, Kot, Rashida, Minchura, Tarawara, Sufaida, Khabbal Tari, Khabbal Uta, Shakkot, Balian, Kullakka, Kotla, Jaspal, Ghaman, Dalhauri, Bigiran, Kundra, Chulundhan, Tatoli, Taiwai, Dudwar, Kewal, Munowal, Dewal, Shahtut, Gul-Dheri, Pirda Patta, Talwari, Chokhat, Shubto, Sambalbot, Chajjri, Barchar, Bholi, Atir, Kango, Chor Kalau, Kangali.
	Bhair Kund .	Kangri Sabar Shah, Malakafur, Muradpur, Banda Shekhan, Sherpur, Khanjan, Khakki, Nankot, Tirba Tarta, Tirba Utta, Bharkund Utta, Bharkund Tarta, Tunarkhola, Sikandar, Sussal, Shanai, Kabman, Giddarpur, Marri Shahwali, Marri Safidar Shah, Marri Mukarab Shah, Muswal, Nilawr, Harida Maira.
	Mansehra	Data, Hariala, Hushala, Chakia Sufaida, Hadlo Bandi, Ghazi Kot, Paghwal, Mansehra Pano-di-Dheri, Banarkot, Katka, Chitta Batta, Sundasur, Rihar, Shuttar, Arab Khan, Phagla, Utar Sisha, Mundhar, Chatha, Maira Jamdalar, Ghari Shah Khel, Banda Saudan, Jabri, Narbir, Pair, Khairabad.
	Gharian	Busand, Shalakki, Bhurj, Madan, Lallo Bandi, Chanja, Bai Bandi, Baidra, Shakhahad, Daibgiran, Jalla, Ganda, Shaholia, Balhag Tari, Balhag Utta, Ogra, Pathi, Matial, Mobian, Rathion, Rehar, Hosamian, Kharala, Barhali, Karer, Jany Kiari, Barak, Khocari, Bahga, Morbaffa (Abbatta), Morbaffa (Bara), Nurun, Lason, Gheal, Kik, Nancha, Manghar, Thali, Shai Bai, Sial, Guramri, Bhal, Bandi Mutrach, Buzurgal, Pasial, Thathi, Ohhetri, Rachhham, Sohalan Tari, Sohalan Utta, Banda Juggan, Pandi Thanna, Talhar, Sargal, Shugri, Kakot, Patheri, Lallo-di-Bandi, Mochi Kot, Kushna, Paiva, Kumber Bandi.

Tahsil.	Tract.	Village.
	Shungri	Baian, Bandi Pir Dad, Mirpur Paswal, Banda Munir, Sarai Miamat Khan, Sarai Thampani, Talhad, Chanad, Shungri, Bisala, Baraingalli, Kokal, Kandal, Gajjal.
	Kachi	Jabbi, Nakkeli, Khuhala, Bichha, Gul Banda, Kuthnali, Karm, Bihakki, Banda Loharan, Bhat, Banda Bakhtawar, Banda Najan, Nilor, Gurakki, Darwaza, Chunjaliala Kachi, Chitti, Bar Hal, Soha, Nalaki Ghanhari, Langar Amga, Kakotri, Jarl, Bhojwar.
Abbotta- bad	Baborhan	Jandakka, Bhurj, Darohar, Kosaki Bari, Kosaki Chotti, Thanna, Paswal, Sobra, Mihal, Hanseri, Jatal, Butiala, Bain Mira, Baghhati, Huan Gogri, Chanrak Mavra, Tattah Bandi, Shadial, Shadial, Sahat Mukhdabbi, Gup, Joganmar, Khan Thattara, Todu, Thal, Ghah Nala, Sar Bhangala, Bagh.
	Sherwan	Khuda Khub, Hal, Barkot, Bhalorah, Kular Khetar, Kamhar, Gadda, Kuthiala, Bamuchhi, Chura, Shoreh, Bhatil, Sherwan Bars, Sherwan Chotta, Bicha Bara, Bicha Chotta, Dhundora, Ratta, Bandi Nikra, Kangrura, Pind, Gande, Lakkala, Chatha, Phuhar, Sori Sher Shah, Barila, Chairh, Kangur Tarla, Kangur Uta, Chorgaram, Juhara, Khalabat, Chamath, Beri Kharpa, Kanula, Thathu, Chikarban.
	Srikot	Srikot, Kundi, Amar Khana.
	Kulai	Kurphan, Dera, Lalo Galli, Onora, Kharkot, Tavi.
Haripur	Badnak	Muradpur, Saidpur, Pind Khan Khel, Langar, Bundariala, Soabi, Kalingar, Mari, Gandat, Ladrakki, Kharn, Ghanikot, Dabu, Bandi Lobal, Mahara, Chaintu, Haljudhal, Janyakka, Laidu, Juokan Palsala, Jagiran Bola, Jagiran Pain, Bandi Kargraol, Kaudiala, Sanda Gauda, Soddehan, Gharkala, Dhanala, Kund Chamaraau, Dukkut, Barahan, Halkulu, Thani Chandor, Chaubara Baghdavia Gharlakkian Radhawara, Roh, Ladarmaog Bodgiram, Khairi.
	Torbella	Barj Khanpur, Torbela, Mohat, Dal.

IV Notification No. 2460 dated the 3rd July 1879 referred to in clause (9) (c) and (10) of schedule (pages 123-124).

With the previous sanction of the Governor General in Council, the Lieutenant Governor of the Punjab is pleased specially to extend Section 15 of the Indian Arms Act, XI of 1878 to the Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan Districts.

(Notification No 1635 dated the 16th November 1900.)

Foreign Department Notification No 851-D., dated the 28th March 1913.

Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by stations, by out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands :—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of so much of the notification of the Government of India

in the Foreign Department, No. 3573-I., dated the 29th October 1895, as subsequently amended, as applied to lands occupied by railways in the Punjab, the Governor-General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores within the said lands:—

1.—Interpretation. In these rules “arms,” “ammunition,” and “military stores,” have respectively the meanings assigned to them in the Indian Arms Act, 1878 (XI of 1878), except that the expression “military stores” includes sulphur when in quantities exceeding ten seers in weight and leaden bird-shot and bullets when possessed in quantities exceeding one hundred-weight at any one time.

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands.

“Transport” means transmission by rail from one station in the said lands to another station in the said lands.

Explanation—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

2.—Export. (1) The export, without the special permission of the Political Agent, of arms, ammunition, or military stores is forbidden.

(2) Station Masters to whom arms, ammunition or military stores unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent.

3.—Import. (1) When any arms, ammunition, or military stores are imported they shall not be delivered to the importer, or consignee unless—

(i) the importer or consignee produces the original license issued by the Secretary to the Government of India in the Foreign Department or other competent authority, authorising the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and

(ii) the senior police-officer at the station at which the arms, ammunition, or military stores have been received has compared the consignment with the license and authorized the Station Master to make delivery.

For the purpose of making the comparison required by clause (ii), the police-officer shall have power to open any package which he thinks suspicious.

(2) If the importer or consignee fails to produce the original license, or if the consignment does not correspond therewith, the senior police-officer at the station shall report the matter forthwith, to the Political Agent.

4.—Information to be given by Station Masters. Every Station Master shall give information to the senior police-officer at his station of the arrival of any consignment of imported arms, ammunition or military stores.

5.—Re-booking of consignment. A Station Master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police but not

otherwise, forward the consignment should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

6.—Transport. No license shall be necessary in respect of the transport of arms, ammunition or military stores, but immediate information of any such transport shall be given to the senior police-officers at the stations of despatch and receipt by the Station Masters concerned.

7.—Carrying of arms by passengers. Arms shall not in ordinary cases be taken from passengers. But if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms: if the passenger gives up his arms, they shall be labelled with his name and description, entered in the roadway bill, and delivered free of charge to him at his journey's end.

Provided that no person who has been duly exempted from the operation of sections 13—16 of the Indian Arms Act (XI of 1878), or has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be required to give up his personal arms under this rule.

8.—Obligation to give information. Every person employed upon the Railway shall in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest police-officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being, committed.

9. -Penalties. (1) Whoever commits any of the following offences, namely:—

(a) exports any arms, ammunition or military stores without obtaining the special permission of the Political Agent as required by rule 2,

(b) imports any arms, ammunition or military stores without a license of the nature referred to in rule 3,

(c) omits to give information as required by rule 8, shall be punished with imprisonment for a term which may extend to three years, or with fine or with both.

(2) Whoever commits any of the following offences, namely:—

(a) imports any arms, ammunition or military stores in excess of the quantities entered in the license referred to in rule 3,

(b) imports after the expiration of the period for which such license has been granted,

shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both.

10.—Power to confiscate. (1) When any person, is convicted of an offence under the last preceding rule, it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms, ammunition or military stores in respect of which the conviction is obtained, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

11—Search and seizure by Magistrate. (1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred in rule 3 shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

12—Disposal of confiscated articles The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

13.—Rewards. (1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person whether in the employ of a Railway Company or not, who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent

14.—Savings Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

SCHEDULE.

Railway	States
1. The Rajputana-Malwa Railway- <i>Rewari-Phulera Chord</i>	Nabha. Patiala
2. The Jodhpur-Bikaner Railway	Patiala.
3. The Kalka-Simla Railway ...	Patiala, Baghat, Keonthal.
4. The Ludhiana-Dhuri-Jakhai Railway	Maler Kotla, Patiala, Nabha, Jind.
5. The Rajpura-Bhatinda Railway	Patiala, Nabha.
6. The Southern Punjab Railway— <i>Main Line</i>	Patiala, Jind.
<i>Narwana-Kaithal Branch</i> ...	Patiala.

LOCAL RULES AND ORDERS.—CENTRAL PROVINCES.

The important duty of administering this Act is entrusted by law to the District Magistrate, save in a few special cases, where the sanction of the Commissioner of the Division or of the Local Government is required before a license can be issued, and all Deputy Commissioners should make themselves thoroughly acquainted with the provisions of the Act and the Rules, and should carefully note the distinction drawn between—

A.—Muzzle-loading; B.—Breach-loading (rifled) and C.—Breach-loading (not rifled),

fire-arms and ammunition.

Separate licenses with these headings printed on the forms in conspicuous characters in red ink should be used for each class of weapon, and the annual return of licenses granted, and the weapons and ammunition covered by licenses, must show these three divisions.

Vide the remark opposite "Fee" of license Form XIV [p. 146]

3. Like the corresponding law in every civilised country, the Indian Arms Act is based on the principal of general prohibition to possess and carry arms, but this general prohibition is qualified by individual or class exemptions. The class exemptions always, and the individual exemptions occasionally, are made by Gazette Notification; but usually the individual exemptions are regulated by license. Therefore the granting of licenses to keep or carry arms is not to be regarded as a mere matter of registration, as if the object of the Government was merely to know who possessed arms; it is to be regarded as much more than that; as, indeed, the exercise of an important discretion vested in the magistrate touching the relaxation in the particular case of a general legal prohibition. Licenses in Form XVII and XVIII should be liberally given to *bona fide* cultivators for the protection of crops; but they should be less freely given in tracts which have been cleared and settled, and are no longer regularly subject to the depredations of wild animals, than in jungle tracts or places still subject to such depredations. Licenses in Form XVI to *bona fide* shikaries should be liberally given, especially in districts infested by wild beasts; and licenses in the same form should also be given in reasonable numbers to persons of respectable character and position, who, living in the country, are not already exempted from the Arms Act restrictions and desire to possess arms for purpose of sport, such licenses however, should be sparingly given to residents in town, who generally want arms for mere purposes of display. Licenses in Form XIX (to take arms on a journey) are rarely asked for, and present no difficulty, but licenses in Form XV (merely to keep arms) should be sparingly given everywhere, and generally only to persons of approved standing and respectability, who usually keep property of value in their immediate custody.

The Commissioner of the Division has drawn up for each District in his Division a scale showing what, with reference to the population, character of the District and its *fauna*, size of the town, extent of cultivation, &c, should be *prima facie* a sufficient and appropriate number of licenses in each of the three Forms XVI, XVII and XVIII, and District officers must keep the scale thus adopted before them when issuing new licenses from year to year. For submission of applications for annual licenses (Form XVI) or for the grant or renewal of five-year licenses in Form XV, dates are to be fixed and notified to sections of the public concerned, no applications being as a rule, received after the prescribed date has passed. The applications received should be dealt with *en bloc*, those which are first applications being separated from those which are for the renewal of licenses previously held. If issues in the past have been excessive, the new issues can be cut down after a careful consideration of the merits of individual cases. The District Officer, when he is dealing with the issue of licenses, should record a proceeding showing the number of licenses in each form issued by him, and his reasons for departing to any considerable extent from the normal scale prescribed for his District.

For licenses in Form XVIII (licenses to cultivators for protection of their crops) greater latitude is necessary; though here also it is well to confine the issue of them as far as possible to a particular month. By the conditions endorsed on Form No XVIII the licensee has to produce his license and the weapon it covers before a Magistrate once in every year. This condition puts many cultivators to considerable trouble and loss of time, but by the introduction of a rule in each district (under Commissioners orders) fixing the inspection by Tahsils or—better still—by police stations or outposts, the inconveniences can be avoided, the inspection being effected when the Deputy Commissioner, his Assistants or Tahsildars visit the locality on Tour. The fact of inspection should be endorsed on the license.

For orders regarding Revolvers see notes (1) and (2) to rule 27 (page 80)—

Rifles of prohibited bores and their ammunition. See notes to rule 8 (1) [pages 65-66] rule 24 [pages 78-79] and to rule 27 [pages 81] Also U. P. rules [pages 189-190 and I. A. Order dated 3rd January 1910, on page 160.]

As regards the importation of ammunition, the Government of India have directed that the prohibition against the possession of ammunition shall be confined absolutely to ammunition for rifles of .303 bore and 450 bore of the Martini-Henry pattern.

5. Troops in India are constantly subject to thefts of arms of precision, and as these arms are of little or no use without their special ammunition, it is considered by the Military authorities highly important to prevent such ammunition from becoming generally available. In order to prohibit the possession of Government arms and ammunition, even when a license to possess arms and ammunition has been obtained, a clause has been added to the conditions of license form Nos XI to XIX to the effect that these licenses do not authorise their holder to possess Government arms or ammunition. It is evident, however, that in cases in which it may be desired to prosecute for the illicit possession of Government Arms or ammunition, the onus of proving that such arms and ammunition are the property of the State will lie with Government, unless it can be shown they bear a well-known distinguishing mark. It appeared, therefore, to the Government of India necessary that some easily recognizable Government mark should be stamped upon all Government Arms and small-arms and machine gun ammunition, whether manufactured in England or in India, and also, that Government arms which have been sold or given away should be suitably marked so as to show that they have ceased to be the property of Government. * * *

It has been arranged with the Secretary of State for India that in the case of all small-arm and machine-gun ammunition manufactured in England for use in India, each cartridge will in future be stamped with the Government mark on the base.

District and other local authorities should prosecute under the provisions of the Indian Arms Act 1878, all persons who may be in possession of arms and ammunition which are the property of Government.

6. Turning now to individual exemption by notification, it will be noticed that under clause (15) (a) of schedule I appended to the Indian Arms Rules, the Chief Commissioner is empowered to frame lists from time to time of land holders and members of Municipal Boards and Committees deserving of this honour. The privilege of exemption should be reserved for a very few of the most influential loyal families and for private individuals who do conspicuous public service, and the importance of preserving its value by strictly limiting the grant of it should be insisted upon. Such lists are published in the Central Provinces Gazette and the most convenient time for making these recommendations is in the month of April in each year but special recommendations on account of special services may be made at any time, as may be necessary. In making recommendations for such exemptions, a definite opinion should be expressed as to the number and description of the arms which may be possessed by the person to be exempted, so that if it be considered necessary, the Chief Commissioner may define the precise number and description of arms to which an exemption granted under his orders should extend.

7. Clause (15) (a) of Schedule I. The lists are published triennially in the Gazette. Revised lists embodying changes due to casualties, &c., and any proposed additions are submitted every three years immediately after the general elections of Municipal Committees. Only specially necessary alterations are notified in the intervals.

8. In regard to Feudatory States, it should be remembered that while a Feudatory Chief can regulate possession of arms by his subjects within his own territories this regulation does not extend to permitting importation, and no license from a Feudatory Chief empowers the holder to purchase or transport arms &c., within British territory. The orders regulating the import of Arms, &c., into Feudatory States are contained in rule 18 of the Rules and Schedule VI appended thereto.

9. Under paragraph XI [page 235] an annual return is to be submitted with a brief note on the working of the Act. This report and return will deal also with the administration of the Explosives Act during the year.

10. For orders relating to the possession by discharge Indian soldiers of arms, &c., see pages 99 to 102.

11. As regards the powers conferred on Officers under sections 6, 13, 25 and 30 see pages 44, 47, 57, 59 and page 239.

12. For exemption of officers in the Central Provinces see page 105. In addition to the officers specified therein Assistant Superintendents of the Telegraph Department are also exempt—[notification No. 2158 dated the 13th November 1908]

13. The following registers of arms, ammunition, stock, and sales have been prescribed by the Chief Commissioner

- (1) A stock account Book of Arms, Ammunition and Military Stores in Form A.
- (2) A Sale Book of Ammunition, and Military Stores in Form B
- (3) A Register of licenses to manufacture, convert or sell or to keep, offer, or expose for sale, Arms, Ammunition, and Military Stores in Form C and
- (4) A Register of licenses granted under the Indian Arms Act during the Calendar year.
- (5) Licenses granted under rules 27 and 28 of those rules (*i.e.* licenses in form XVI and XVII to go armed for sport &c., and possess arms for the destruction of wild animals) shall be subject to the observance of a close season, the limits and application of which shall be as follows —

Specification of Birds or Mammals		Vernacular names		Close Season
1. Sand Grouse				1st April to 30th September
<i>Pterocles laceratus</i> ..	..	Bhnt-titur, Dongur Kauri ..	..
" <i>eximius</i> ...	...	Bhnt-titur ...	...
2. Pea fowl				1st March to 30th November.
<i>Pavo cristatus</i> ...	...	Mor, Munjur ...	...
3. Jungle Fowl				1st April to 30th September.
<i>Gallus ferrugineus</i> ...	...	Jungli Murgli ..	...
" <i>sonnerati</i> ..	..	Do	...	
4. Spar Fowl				1st April to 30th September.
<i>Gallus padana</i> ...	...	Choti Jungli Murgli	...	
" <i>lunulatus</i> ...	...	Do. do.	...	
5. Partridge				1st May to 30th November.
<i>Fraulinus vulgaris</i> ...	...	Kala titur ...	...
" <i>pictus</i> ...	...	Do	...	
<i>Ortygornis Pondiceriana</i>	...	Gora-titur	...	1st May to 30th November.
6. Quail				
<i>Coturnix Coromandelica</i> ...	...	Chinak	...	
7. Bush Quail				1st May to 30th November.
<i>Perdix argoonda</i> ...	...	Lawa	...	
" <i>asiatica</i> ..	...	Do.	...	
<i>Microperdix blewitti</i> ...	...	Siri-Lawa	...	

<i>Specification of Birds or Mammals.</i>	<i>Vernacular name.</i>	<i>Close Season.</i>
8. Bustard Quail		
Turnix Pugnax 	Gundru ...	
" Joudera 	Do .	
" Dussumieri . .	Tara-Dubki ..	} 1st May to 30th November.
9. Bustard		
Eupoditis edwardsii 	Hoom Tokdur ..	
10. Lik Florican		
Sypheotides aurita .. .	Tun-Mor ...	
11. Spurred Goose		
Sarkulhornis melananotus	Nukta ...	
12. Goose-Teal		
Nettapus coromandehanus	Gurja ..	} 1st June to 30th November,
13. Whistling Teal		
Dendrocygna arcuata 	Silli .	
14. Grey Duck		
Anas pakilorhyncha . .	Garmpani ...	
15. Green Pigeon		
Crocopus phœnicapterus	Harral ...	} 1st April to 30th September
" Chlorigaster .	Do .	
16. Blue rock pigeon		
Columba intermedia .. .	Kabatur .	
17. Doves		
Turtur meenz 	Kulla fuchta ...	} 1st February to 31st July.
" Cambayensis .	Tortru fuchta .	
" Suratensis .	Chitroka fuchta	} 1st November to 31st May.
" Risorius .	Dhor fuchta .	
" Senegalensis .	Seroti fuchta .	} 1st February to 31st July
18. Other Birds which breed in these provinces		
		} The whole year
19. Migratory marsh and water birds, such as duck, teal, snipe etc., which do not breed in these provinces, and visit them in the cold season only.		
		No close season.
20. Deer and Antelope		
Does, hinds and fawns .		} The whole year
Immature stags .		
Hornless stags .		
Stags with horns in velvet	...	
All stags .		} 1st June to 31st October
21. Bison and Buffalo		
Cows and calves .		The whole year

Provided where much damage is done to crops by deer or antelope, licences may be issued subject to no close season as far as these animals or any particular species of them are concerned.

The following orders relating to the working of the Indian Arms Act, 1878, are issued for the information and guidance of all Magistrates and Police Officers.

1. **Books and Inspections.** The pages of the Stock Account and sale books in Forms A and B, respectively, shall be numbered consecutively and the first and last page of each book shall be signed by the Deputy Commissioner, or by one of his Assistants, and sealed with his office seal.

The necessity for keeping up these Books regularly, and the penalties attaching to failure to do so, shall be carefully explained to the person so licensed at the time of their delivery.

II. The books, stock, and premises of licensed vendors shall be inspected—

- (1) by the District Superintendent of Police once in each half-year,
- (2) by the Deputy Commissioner or a selected Assistant Commissioner once in each year,

(3) by other Magistrates and by Inspectors of Police at such times as the Deputy Commissioner or the District Superintendent of Police shall direct.

Every officer making an inspection under this rule shall initial the Stock Account Book and the Sale Book, and shall report at once to the Deputy Commissioner any breach of rules or irregularity which may be discovered.

District officers shall submit to Commissioner's of Divisions a half yearly return on the 1st February and first August in each year showing the number of inspections made by them and by their subordinates during the preceding six months.

III Confiscation of Arms etc. and Rewards. When any arms, ammunition, or military stores are deposited under section 14 or 16 of the Act at a Police Station, the officer in charge of each station shall give the depositor a receipt signed by himself.

If within 60 days from the date of deposit the owner fail to produce a license authorizing him to take possession of them, the arms, ammunition, and military stores shall be forwarded to the head-quarters of the district, where they shall be kept in such safe place as the Deputy Commissioner may direct. All arms, etc., deposited under section 14 or 16 will be at the owner's risk, and Government will not be liable for any injury they may receive.

IV. On the forfeiture, or confiscation of any such arms ammunition, or military stores, or of any arms, ammunition, or military stores, under section 24 of the Act, the Deputy Commissioner shall dispose of them as follows:—

1. Arms ammunition, and stores which can be utilized by the Police or any Department under Government, may be retained and brought into use with the sanction of the local Government. Arms, ammunition, and stores not so retained may be sold to licensed dealers or persons entitled to possess them.

2 Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest ordnance officer to be broken up. Other arms shall be broken up locally and the material sold.

3. Any ammunition or stores not disposed of under the provisions of clause 1 shall be destroyed.

V. On the **confiscation** of any animals or property, other than arms, ammunition, or stores under section 24 of the Act, the Deputy Commissioner shall cause them to be sold by auction in the same way as property sold in execution of a decree of a Civil Court.

VI. On the **confiscation** of any arms, ammunition, stores, animals, or other property, under section 24 of the Act, the convicting magistrate may award a sum not exceeding the estimated value of the property so confiscated to the person or persons who may have assisted in the discovery and seizure of the arms or other property or in the arrest of the offenders. Such payments may be drawn in contingent bill, and charged to "Law and Justice"

Where an appeal lies from the conviction, payment shall not be made until the period of the appeal shall have lapsed, or if an appeal has been laid, until the conviction shall have been confirmed.

VII. When any person is convicted of an offence under this Act, the convicting magistrate may award a sum not exceeding the amount of the fine imposed to any person or persons who may have assisted in the discovery and seizure of the arms or other property or in the arrest of the offenders.

VIII. Licenses, Registers and Returns. All licenses to be granted under the Arms Act will be in the cheque book form, except those given in Forms X, XI and XVI, which will be printed on linen-backed paper and supplied in loose sheets

or single foils. Licenses in Forms other than Nos X, XI and XVI will be supplied in books containing 100 forms in each. All licenses alike will be kept in the Treasury under the Treasury Officer's lock until required for use. Counterfoils of licenses in Forms XVII and XVIII and the registers in Form C and D appended to these rules may be destroyed after the lapse of 6 years.

IX. It is discretionary with the Deputy Commissioner of each district to grant or refuse any license under the Act, and he is therefore responsible that a license shall in no instance be granted to an unfit person.

X. A copy of license Register C shall be furnished by the Deputy Commissioner to the District Superintendent of Police. The results of all inspections made under Rule II will be incorporated in this register, column 7. The Deputy Commissioner will thus have at hand in an accessible form all the necessary information for renewing a license. A copy of Register D shall be furnished by the Deputy Commissioner to the District Superintendent of Police.

X1. An annual return for the Calendar year in the appended Form E will be submitted by Deputy Commissioners to Commissioners by the 1st February in each year. A brief note, not exceeding 500 words in length, will accompany each return. The Commissioners will forward these notes and returns in original, to the Secretariat together with a covering note reviewing the District reports and commenting on the working of the Act in his Division so as to reach the Secretariat not later than 1st March. The Commissioner's note should not exceed 1000 words.

XII. Parwanas of exemptions in the appended Form F will be granted under the Deputy Commissioner's signature to persons exempted under section 27 of the Act.

FORM A

Stock Account Book of _____, son of _____, caste _____,
resident of _____, district _____, licensed to manufacture, convert,
and sell, or to keep, offer, or expose for sale, arms, ammunition, and military stores

[illegible]

FORM B.

Day Book of _____, resident of _____ district.

Month	Date	Name of purchaser.	Name of father	Caste.	Residence.			Article or articles purchased.	Price paid.
					Village.	Pargana.	District.		

FORM C

Register of licenses to manufacture, convert, or sell, or to keep, offer, or expose for sale, arms, ammunition, or military stores in the district of _____

1	2	3	4	5	6	7		Remarks.
Tahsil.	Num- ber.	Name of licensee	Father's name, caste, etc	Place of busi- ness.	Date.	Result of Inspection		
						By Inspec- tor of Police.	By Magis- trate or Superin- tendent of Police.	
						Quarter.		

FORM F.

Parwana of exemption under Section 27 of the Indian Arms Act (XI of 1875).

To

This is to certify that, in accordance with Central Provinces Gazette Notification No. _____, dated the _____ 191____, you are exempted under Section 27 of the Indian Arms Act 1878, from the operation of all prohibitions and directions contained in Section 13, 14, 15 and 16 of that Act. But this exemption shall not be deemed to cover the following articles :—

- (a) Cannon.
- (b) Articles designed for torpedo service.
- (c) War rockets
- (d) Rifles of 303 bore and 450 bore of the Martini Henry pattern imported into British India, subsequently to the 20th February 1901, without the special sanction of the Government of India, ball ammunition which can be fired from rifles of the bores and patterns aforesaid.
- (e) Machinery for the manufacture of arms and ammunition.

DATED _____ } Deputy Commissioner,
 The _____ day _____ 190____ } (Seal)
 _____ Di strict.

Section 19

1 The following offences under the Arms Act are cognizable by the Police :—

- (a) manufacture, conversion or sale of arms in contravention of section 5,
- (b) failure to give notice as required by the same section,
- (c) import or export of arms, ammunition or military stores in contravention of section 6,
- (d) transport of arms, ammunition or military stores in contravention of a regulation or prohibition issued under Section 10,
- (e) going armed in contravention of section 13 ;
- (f) being in possession of arms, ammunition, or military stores in contravention of Section 14 or section 15 ;
- (g) intentionally making a false entry in a record or account kept under a rule framed under section 17 (c) ;
- (h) failure to exhibit any article as required by a rule framed under section 17 (e) ;
- (i) failure to deposit arms, ammunition, or military stores as required by section 16.

NOTE.—Under Section 29 no proceedings may be instituted for an offence under Section 19 (f) without the previous sanction of the District Magistrate.

2. Police officers should note that the following arms have been exempted from the operation of the Act in these Provinces :—

- (a) Bows and arrows ;
- (b) Spears and hunting knives ;
- (c) complimentary or uniform swords and disks ;
- (d) toys and antiquarian relics, provided that they are practically useless for offensive or defensive purposes. Air-guns, except the B S A Men's Model, are considered to be toys for the purposes of the Act. Vide also Schedule II [page 115]

3. Any police officer may apprehend any person whom he finds carrying or conveying arms, ammunition or military stores, whether covered by a license or not, if he has reason to believe that they are intended to be used for an unlawful purpose

Section 12.

4. A police officer may disarm any person whom he finds going armed without a license or in contravention of its provisions.

Section 13.

5. Any person who possesses arms, ammunition or military stores for which his license has expired or been cancelled must deposit them at once in the nearest police station. The station house officer must give him a receipt for them signed by himself.

Section 16.

6. Every person who possesses a license to manufacture, convert, keep or sell arms, ammunition, or military stores is bound to keep a stock account-book and a sale-book, and to exhibit them and his stock to any police officer not below the rank of Inspector. Any such officer is empowered to enter and inspect any premises within his jurisdiction in which arms, ammunition or sulphur are manufactured or kept, and to examine the stock and registers.

7. The books, stock and premises of licensed vendors have to be inspected

- (a) by the District Superintendent—once in each half-year,
- (b) by Inspector of Police—at such times as the District Magistrate or the District Superintendent may direct.

8. Dealers in arms and ammunition are bound by section 22 [see page 56] to ascertain that the persons to whom they sell arms are legally authorized to possess them, and it is the duty of every inspecting officer to see that this obligation is strictly fulfilled. He should not content himself with checking the correctness of the accounts, but should see that the transactions are within the reasonable amount justified by legitimate business. Whenever there is any ground for suspicion, he should select a few sample cases and verify personally whether the sales made were covered by the license or exemption of the purchaser. Such enquiries should be made so as not to cause annoyance to bona fide purchasers.

9. Any person who holds, or acts under, a license granted under the Act is bound to produce the same when called upon to do so by an officer of or above the rank of Sub-Inspector. The law does not, however, require him to have his license always on his person, and he should always be given a reasonable opportunity to fetch it. Vide note (3) to section 19 [page 50]

10. The Chief Commissioner has declared, under Sections 25 and 30 of the Act, [page 57 and 59] that no police officer below the rank of Sub-Inspector shall conduct searches under those Sections.

11. The discretion vested in police officers under the Act must be carefully and judiciously exercised, and the letter of the law should not be enforced at the expense of the spirit. The mere temporary possession, without a license, of arms for purposes other than their use as such should not be treated as offence. Nor have the police any power to confiscate arms or ammunition. Confiscation can only be ordered by a convicting magistrate under section 24, and if no such order is obtained the arms or ammunition must be restored without delay to the person from whose possession they were taken.

**Appendix—EXTRACT FROM THE INDIAN TARIFF ACT, VIII OF 1894,
AND RULES AND ORDERS RELATING TO THE REFUND OF
DUTY ON ARMS, AMMUNITION AND MILITARY STORES.**

SCHEDULE II.—(IMPORT TARIFF).

Arms, Ammunition and Military Stores.—including also any articles, other than those included in Nos. 1 to 12 of this Schedule, which are “arms” within the meaning of the Indian Arms Act, and any articles which the Governor General in Council may, by notification in the *Gazette of India*, declare to be “ammunition” or “military stores” for the purposes of this Act.

Name of articles.	Duty.	
	Rs.	A.
1. Firearms other than pistols, including gas and air-guns and rifles, for each	50	0
2. Barrels for the same, whether single or double, for each ...	30	0
3. Pistols, for each	15	0
4. Barrels for the same, whether single or double, for each ...	10	0
5. Springs used for firearms, including gas and air guns and rifles, for each	8	0
6. Gunstocks, sights, blocks, and rollers, for each ..	5	0
7. Revolver-breeches, for each cartridge they will carry ...	2	8
8. Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumb-pieces, triggers, trigger-guards, hammers, pistons, plates and all other parts of a fire-arm (including a gas and air-gun or rifle) not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each ...	1	8
9. Machines for making, loading, or closing cartridge for each	10	0
10. Machines for capping cartridges, for each	2	8

Exception I—Articles falling under the 5th, 6th, 8th, 9th or 10th head of the foregoing list, when they appertain to a firearm falling under the 1st or 3rd head, and are fitted into the same case with such firearm, are free.

Exception II—The following are also free, namely:—

(a) Arms forming part of the regular equipment of an officer entitled to wear diplomatic, military, naval, or police uniform ;

(b) a sword, a revolver, or a pair of pistols, when accompanying an officer of Her Majesty's Regular Forces, or a commissioned officer of a volunteer corps, or certified by the commandant of the corps to which such officer belongs, or in the case of an officer not attached to any corps, by the officer commanding the station or district in which such officer is serving to be imported by the officer for the purposes of his equipment ;

(c) swords and revolvers which are certified by an Inspector-General of Police to be part of the ordinary equipment of members of the Police force under his charge ;

(d) swords forming part of the equipment of native commissioned officers of Her Majesty's Army :

(e) swords for presentation as army or volunteer prizes ,

(f) arms, ammunition, and military stores imported with the sanction of the Government of India for the use of any portion of the military forces of a Native State in India which may be maintained and organized for Imperial Service ;

(g) Morris tubes and patent ammunition when imported by officers commanding British and Native regiments or volunteer corps, for the instruction of their men.

Proviso 1.—No duty in excess of ten per cent. *ad valorem* shall be levied upon any of the articles numbered 1 to 10 in the foregoing list when they are imported in reasonable quantity, for his own private use, by any person lawfully entitled to possess the same.

Proviso 2.—When any articles which have been otherwise imported, and upon which duty has been levied or is leviable under number 1 to 10 or purchased retail from the importer by a person lawfully entitled as aforesaid, in reasonable quantity for his own private use, the importer may apply to the Customs-Collector for a refund or remission (as the case may be) of so much of the duty thereon as is in excess of ten per cent *ad valorem* ; and if such Collector is satisfied as to the identity of the articles, and that such importer is in other respects entitled to such refund or remission, he shall grant the same accordingly.

	Tariff valuation	Rate of duty.
	Rs	A
11. Gunpowder, all sorts ..	<i>ad valorem</i>	} 10 per cent.
12. All other sorts of arms, ammunition and military stores ... ..	...

I. 2. It has been already decided by the Government of India that in the provisos to section 8 of the Arms Act, the word "lawfully entitled to possess" and "lawfully entitled as aforesaid" apply to persons licensed according to law to possess arms as well as to persons exempted from the operation of section 13 and 14 of the Act. Application for a remission or refund of duty under section 8 of the Act may, therefore, be made by three classes of persons viz :—

(1) persons exempted from the operation of those provisions of the law which require a license for the possession of arms,

(2) persons licensed according to law to possess arms, and

(3) importers, who have sold arms retail in reasonable quantities for their own private use to persons belonging to either of the above classes.

The provisions of section 8 of the Act limit the remission or refund of duty to the case of articles imported or purchased in reasonable quantity, for his own private use by the importer or purchaser, but the Act does not define what is to be deemed a "reasonable quantity," and the question thus arises whether it is permissible to the Customs authorities to require the applicant to show that the arms imported or purchased on any particular occasion do not, when added to those which he may already possess, exceed what may be considered to be a reasonable quantity. On this point the Governor-General in Council concurs with the Legal Remembrancer and with the Punjab Government in the view that a remission or refund of duty must, under the terms of the law, be allowed on each particular importation or purchase, which is not in excess of a reasonable quantity, for the applicant's private use, irrespective of the quantity of arms which may already be in his possession.

3 Applying the above interpretation of law to the points now referred for the orders of the Government of India, it appears to the Governor-General in Council that a remission or refund of duty if asked for under section 8 of the Act by an exempted person should, as a rule, be granted without question by the Customs authorities. In such cases the presumption would ordinarily be that the transaction is a *bona fide* one; but if the amount of the consignment in any particular instance, or the circumstances of the case generally, should be such as to render it doubtful whether the articles are imported in reasonable quantity for the private use of the applicant, the Collector of Customs or other officer empowered by the Local Government in that behalf should under section 6 of the Act, detain the arms or ammunition until he received the orders of the local Government thereon. A similar procedure should be adopted in the case of applications made by persons who belong to either of the two other classes described in the preceding paragraph. As regards persons licensed to possess arms, the Customs authorities should further verify the fact that the arms imported or purchased correspond with the amount entered in the license, and should endorse on the license the amount of the consignment on account of which a remission or refund of duty is granted, referring doubtful cases for orders of the local Government under section 6 of the Act. A register might also with advantage be kept up by the Customs authorities, showing the amount and nature of each consignment in respect of which and the name of the person to whom or on whose behalf a remission or refund of duty may from time to time be allowed.

4 It formed no part of the object of the Arms Act to place obstacles in way of the *bona fide* importation of arms etc, for legitimate purposes by persons lawfully entitled to possess the same, and if the above precautions are observed it appears to the Government of India that sufficient provision will be made against the importation of arms, &c., in excessive quantities.

(Home Dept. letter No 61—1881-85, dated the 13th November 1881)

II. I am to state that the Governor-General in Council sanctions, in the particular case quoted in your letter, a refund of the difference between the specific and the *ad valorem* duty paid by the importer. I am, however, to observe that His Highness the Amir of Afghanistan is not "a person lawfully entitled to possess for his own private use" within the meaning of the law, the wording of which refers to possession in British India by a person in British India, and I am to add that, in future, when it may be considered politic or desirable in any particular case to allow a refund to a foreign ruler, a specific reference should be made to the Government of India in the Foreign Department.

(Fin. Dept. letter No. 469, dated the 26th April 1884).

III. 2. The G. G. in C. has been led by the case to consider the effect of the orders now in force on the subject of refunds on arms purchased by residents in Native States, and in foreign territory lying beyond the frontier.

3. By the letter from this Department, No. 469, dated the 26th April 1884, it was held that a foreign ruler, like the Amir of Afghanistan, is not a person "lawfully entitled to possess arms for his own private use," within the meaning of the law which refers to possession in British India; and therefore the proviso in the Tariff Act, under which the difference between the specific and *ad valorem* duty may be refunded, was not applicable to the case of persons who, residing out of British India, purchase arms for their personal use from an importer or seller in British India. It was decided that when it

might be considered politic or desirable in any particular case to allow a refund to a foreign ruler, a specific reference should be made to the Government of India in the Foreign Department.

4. By the letter from this Department, No. 191-S. dated the 26th November 1884, it was ruled that the proviso of the Tariff Act, permitting a refund, might be applied to persons residing in Native States (in India) who would be entitled under the Arms Act to possess arms if residing in British India, and that they might accordingly be allowed a refund, although they were residing in Native States. It was decided that the concession should be given under the conditions specified in circular from the Foreign Department of the 22nd March 1884, No. 1051-I and that it should not include arms required for military purposes. This ruling was confirmed in the letter from this Department, No. 15 S. dated the 10th January 1885, which prescribed that the refunds given under it should be allowed after reference in the case of Feudatory States of Nepal, to the Political authorities of the State concerned, and, in the case of Foreign States other than Nepal, to the Government of India in the Foreign Department.

5. The refund of duty on revolvers does not appear to come within the intention of the rulings mentioned, which was that the refund should be allowed only on arms for sporting purposes, arms for military purposes being excluded, and revolvers for policemen should properly be regarded as military weapons.

6. Apart from this case, however the G. G. in C. has come to the conclusion that the rulings of November 1884 and January 1885, mentioned in paragraph 4 of this letter, should be rescinded, and I am to request that they may be regarded as cancelled. The principle of the ruling of the 26th April 1884, No. 469, referred to in paragraph 3, must be held to apply to all cases of arms purchased for the private use of persons residing in Native States as well as in States beyond the Indian frontier. The procedure prescribed in that ruling should be applied in future to all such cases, no certificate being granted by Political authorities except in cases where, as a matter of courtesy, if it is considered expedient to allow a refund on arms (other than military arms) purchased for his own private use by the Chief or any notable of the State.
(F & C and Dept letter No. 4106, dated the 20th July 1889)

IV. In continuation of the letter from this Department No. 4106 dated the 26th July 1st, regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of persons residing in Native States, I am directed to state that the orders therein contained do not apply to the case of European British subjects residing in Native States, and who are lawfully entitled under the Arms Act to possess arms if residing in British India. They should be allowed a refund of duty on a certificate from Political Officers as heretofore.

(Fm. Dept. letter No. 53 S., dated the 15th February 1889).

V. I am directed to acknowledge the receipt of your letter No. 3702 of 20th May last, enquiring whether it is intended that concession granted in the letter from this Department No. 53 S., dated 15th of February 1889 regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of European British subjects residing in Native

States, should apply to Eurasians or other classes referred to in clause (5) of para. 1 of the Home Department notification of 6th March 1879 [clause (13) of Schedule I, page 93.]

2. I am to say, in reply, that it is not desirable to make any difference in this respect between European British subjects and those classes who are in other respects treated in the same way under the Arms Act rules, and that the concession applies to all Europeans, Eurasians, Armenians, &c., who are natural born subjects of Her Majesty.

(Finance Dept. letter No. 3547, dated the 3th July 1889).

VI. 2. The refunds were granted by the Collector of Sea Customs, Madras, on the authority of the Political Officer of the Sandur States; but the Government of Madras are of opinion that in the case of Native Chiefs and notables of Native States, the sanction of the Government of India is necessary before a Political Officer can grant a certificate, and that, as such sanction was not obtained in the case referred to the refund was irregularly made.

3. Though the orders as framed permit the interpretation of them which has been adopted by the Government of Madras, paragraph 6 of the letter from this Department No 4106 of the 26th July 1888 was intended to continue the grant of certificates by the Political Officers without reference to the Government of India in cases where, as a matter of courtesy, it is considered expedient to allow a refund on arms (other than military arms) purchased for his own private use by the chief or any notable of a State. This has generally been understood by the Political Officers, who have acted on this interpretation of the orders since their issue. The certificate granted in the case under reference may be held to have been properly granted by the Political Officer.

(F Dept. letter No. 2074 S. R. dated the 15th May 1893).

VII. In exercise of the powers conferred by section 23 of the Sea Customs Act (VIII of 1878) the G. G. in C is pleased to exempt from customs duty all guns brought into British India from French Settlements of Pondichery, Karikal or Mahe by residents of any of those settlements being Europeans:—

Provided that the guns are covered by a pass issued under the authority of the Settlement from which they are brought, and countersigned by a British Magistrate, certifying that the holders are entitled to carry the guns for sporting purposes.

Home Department Notification No 2157, dated the 15th Dec 1879 hereby cancelled.

(F and C. Dept Notification No 200, S dated the 12th May 1893).

VIII. I am directed to acknowledge the receipt of the proceedings forwarded with your letter No. 626, dated the 14th October, and to say that the Government of India agree with the Government of Madras that a refund should be made of the difference between the specific and *ad valorem* duty on arms purchased by European British subjects residing in Native States from an importer or seller also residing in a Native State.

(Finance and Commerce Dept. No 102 S, dated the 27th March 1894).

IX 2. I am to observe that under the schedule, as amended on the 27th December last by Act XVI of 1894,

first, every article that is ordinarily known as "ammunition" or "military stores" will be assessed as such, unless it is specifically mentioned in another schedule of the act, and

secondly, such other articles (if any) as the Governor-General in Council may declare to be "ammunition" or "military stores" for tariff purposes.

8. Applying these principles to the specific instances mentioned in your letter it will be evident :—

- (1) that gun-wads, wire cartridges, and bullets being ordinarily known as "ammunition" are chargeable with duty under schedule II of the Tariff Act ; while
- (2) sulphur, lead and birdshot, being specifically mentioned in schedule IV and not having been declared to be "ammunition" or "military stores" for the purposes of the Tariff Amendment Act, are chargeable with duty at five per cent. under the appropriate heads of schedule IV.

(Fin. Dept letter No. 372 S R of the 23rd January 1895)

X. "Daisy" Air rifles should be classed as toys for the purposes of Tariff Act, and assessed to duty under No. 110 of Schedule IX of the Act.

F and C. Dept. No. 299 S R. of the 22nd January, 1896

XI. "Quackenbush" and "Gem" air-guns, which are not adapted for use with explosive substances should be classed as toys and assessed to duty at 5 per cent. *ad valorem* under No. 110 of Schedule IV of the Tariff Act.

(Fin. Dept No. 4403 S. R. dated the 8th October 1893)

XII. There are no papers on the subject of which copies can be given, but existing orders may be summarised as follows.—The proviso to Schedule II of the Indian Tariff Act, 1894 (VIII of 1894), provide for a refund or remission, as the case may be of the differential duty on arms imported, or purchased retail from the importer, in reasonable quantities for his own private use "by any person lawfully entitled to possess the same" The latter term includes persons licensed according to the law to possess arms in British India, and persons residing in British India, who are exempted from the operation of the prohibitions and directions contained in sections 13-16 of the Indian Arms Act, 1878 (XI of 1878). The same concession is extended, on the production of a certificate from the Resident at Hyderabad or other Political Officer concerned, to (a) natural born or naturalized subjects of His Majesty of the classes specified in paragraph I clause (5) of the notification of the Government of India in the Home Department, No. 518, dated the 6th March 1879, when residing in Native States, (b) officers of Government in the Hyderabad Assigned Districts of the classes specified in paragraph I of the same Notification, and (c) Native Officers of Government lent to Native States who are lawfully entitled to possess arms, if residing in British India. Political Officers are further authorised to grant such certificates in cases where, as a matter of courtesy, it is expedient to allow a refund of duty on arms (other than military arms) purchased for his own private use by the Chief or the notable of a Native State.

(For. Dept. letter No. 2965-I-A dated the 2nd November 1898).

XIII I am directed to refer to the correspondence ending with your letter No. 607-2-A-24 dated the 19th September 1898 regarding the proposal submitted by the Government of Bengal to amend proviso 2 to schedule II of the Indian Tariff Act VIII of 1894, as to allow of a refund or remission of so much of the customs duty as is in excess of 10 per cent of *ad valorem* being made to an importer in respect of arms purchased either

from him direct or through an intervening licensed vendor, by a person lawfully entitled to possess arms, in reasonable quantity, for his own private use provided that the Collector of Customs is satisfied as to the identity of the articles entitled to such refund.

2 The Governor-General in Council having considered the opinions expressed by all local Governments and Administrations, agrees with the majority of them that the law should not be amended in the direction indicated by the Government of Bengal.

3. It has been brought to notice in the course of the inquiry that the order of the Government of India in the Financial Dept., No. 102 S., dated the 27th March 1894, when applied to the provision for refund or remission to the case of arms purchased by European British subjects residing in Native States, exceeds in its terms the concession granted by the law. The proviso referred to above permits of a refund to an importer only, while the letter of the 27th March 1894, authorises a refund to an importer or seller. There was no intention of giving a greater concession in these matters than was prescribed in the proviso to the Tariff Schedule, and I am to request that the words "or seller" in the order of the Financial Department may be struck out.

(Home Dept letter No 416-25, dated the 30th June 1899.)

XIV. In supersession of the orders on this subject contained in the Fin and Com Dept No 52 S dated the 15th Feb 1894, marginally cited letters, I am to say that in case of a European British subject residing in a Native State when there is no doubt as to the identity of the purchaser, a refund may be allowed without reference to the political authorities. In all other cases, however, where a refund is claimed upon arms purchased by a person residing in a Native State, who is either not a European British subject, or of whose identity there is any reason to doubt, a reference should be made, as heretofore, to the Political authorities concerned, before the refund is sanctioned. These orders, I am to explain, must be regarded as applicable to all Native States, including the Hyderabad Assigned Districts.

(Finance and Commerce Dept, letter No. 5720 S R. dated the 23rd November 1901)

XV. I am directed to acknowledge the receipt of your letter * * * in regard to an application * * * for a refund of a portion of the Customs duty levied on a consignment of blasting pellets imported. It appears from the correspondence forwarded with your letter that the Collector of Customs, Calcutta assessed these pellets to duty at ten per cent. *ad valorem* under Article 11, Schedule 11, of the Indian Tariff Act, 1894, in accordance with the orders contained in the Finance and Commerce Department letter No. 1866, dated the 12th April 1894, in which it was ruled that blasting powder should be classified under common powder for fiscal purposes. The Company, on the other hand, represent that, as these pellets were intended for purely blasting purposes, they should be treated as "Explosives" and assessed to duty at five per cent. *ad valorem* under Article 10 of Schedule IV.

2. In reply, I am to say that it has been ascertained that at Bombay blasting powder is classed as "Gunpowder" or "Explosives" according as it can or cannot be used as ammunition. In order to distinguish between powder for blasting purposes and powder which can be used as ammunition samples of importations of powder are examined by the Appraisers by whom ammunition and explosives are usually passed, who are able, with the help of the invoices,

to decide the nature of the powder for Tariff purposes. As the classes of importers of the two articles are believed to be different, it is considered that there is not much risk of fraud in this procedure, specially as in the case of any doubt the powder will be placed in the higher class. The Government of India are of opinion that the practice obtaining in Bombay is correct. * * *

(C. and I. Dept. No 2907 140 dated the 5th April 1907.)

XVI. All Military officers whether in military or civil employ in India should be held to be "officers of His Majesty's regular Forces" until they retire from the service, and to be entitled as such to the exemption accorded by Exception II, Schedule II of the Indian Tariff Act, 1894

(C. and I. Dept. letter No. 858—85122—24 dated the 13th Sep 1908)

XVII 2. For the purpose of the refunds of the difference between the specific and the *ad valorem* there is no reason to differentiate between the case of a European British subject residing in a Native State, and that of one residing in a Foreign settlement in India. They have therefore no objection to the grant of refund of differential duty on arms imported or purchased by European British subjects resident in foreign settlements, provided that the Collector of Customs is satisfied in each case that the arm imported or purchased are in reasonable quantity and for the personal use of the importer or the purchaser.

(C. and I. Dept letter No. 10386—11 dated the 13th Nov 1908).

XVIII 2. Application for the refund of differential duty on arms (other than military arms) may in future be finally dealt with by the Collector of Customs at the port of importation subject to the condition stated below, *viz.*—

(a) In the case of arms purchased by or on behalf of Native Chiefs and other non-British subjects residing out of British India, a refund of differential duty may be granted, provided (i) the application for the refund claimed is accompanied by a courtesy certificate granted by the Political Officer or other local authority concerned, according as the refund is recommended on political or other grounds, (ii) the arms purchased are in reasonable quantity, and (iii) the arms are for the personal use of the purchaser or the individual for whom the purchase is made.

(b) Refunds of differential duty may also be granted on arms purchased by or on behalf of natural-born or naturalized subjects of His Majesty resident in Native States, Foreign Settlements, tribal or administered areas and States, bordering on the Indian frontier, who would, in British India, be lawfully entitled to possess arms, provided always that the arms are intended for the personal use of the purchaser or of another British subject who, in British India, would be lawfully entitled to possess arms. If the purchaser or the person for whom the purchase is made is a European and no doubt exists as to his identity, no courtesy certificate is required. In all other cases, *i.e.*, those where the purchaser or the person for whom the purchase is made is either a European whose identity is at all doubtful, or a non-European, a reference should be made to, and no refund granted except on the recommendation of, the local political authority.

(c) All cases which do not fall within the scope of the instructions in (a) and (b) above, but in which the grant of a refund of differential duty is recommended for any special reasons, should be submitted for the orders of the

Government of India in this Department through the Local Government or Local administration concerned.

3. As regards the courtesy certificate referred to in paragraph 2 (a) and (b) above, I am to request that it may be enjoined upon all officers to whom application for such certificates may be made, that care should be taken not to grant certificates except in cases which are covered by the above orders. The ground on which a refund is recommended (i.e., either that the purchaser of the arms is a British subject who would be entitled to possess the arms in British India, or that he is a Native Chief or notable to whom it is desirable that the concession should be made as a matter of courtesy) should be entered in the certificate, and the certificate should also indicate whether the weapons specified in it are for the personal use of the purchaser or for other purpose.

4. The foregoing instructions should be regarded as superseding all previous orders which have been issued from time to time on the subject by the Government of India.

C and L. Dept. No. 2609—2613-5, dated the 7th April 1910.

XIX. All articles of the foreign *parcel* mail imported into India on and after the 1st February 1911 and declared or suspected to contain arms or ammunition shall continue to be scrutinized by the Customs authorities. Such articles as are found to have been imported in contravention of the terms of the notification of the Government of India in the Finance and Commerce Department, No 2251, dated the 16th August 1879, should be detained by the Customs authorities and dealt with in accordance with the provisions of section 167 (8) of the Sea Customs Act, 1878, (VIII of 1878), any arms that are confiscated under this section being disposed of in accordance with the rules in force for the disposal of confiscated weapons. Parcels which on scrutiny by the Customs authorities are passed by them should be handed over to the post office for delivery to the consignees.

3. On and after the 1st February next, inward foreign articles of the *letter* mail found to contain arms and ammunition will be forwarded by the post office of delivery to the chief port of the presidency or province nearest to that office to be there made over to the Customs authorities. The latter should then deal with them in the manner above prescribed for the treatment of parcels.

4. The foregoing instructions should not be regarded as restricting in any degree the discretionary powers exercised by the Customs authorities under the existing provisions of the law.

C. and L. Dept. No. 523-527-17 dated the 24th Jan'y. 1911.

XX. The Governor-General in Council is pleased to exempt all articles, other than those specified in the list hereto annexed, liable to duty under head 5, 6, 8, 9 or 10, as the case may be, of the Second Schedule to the Indian Tariff Act, 1894 (VIII of 1894), as amended by the Indian Tariff Act, 1894, Amendment Act, 1896 (III of 1896), from so much of the duty leviable thereunder on importation into British India as is in excess of a duty of 10 per cent *ad valorem*:—

List above referred to.

Main springs and Magazine springs.

Gun-stocks and Breech blocks.

Actions (including skeleton and waster).

Breech bolts and their heads.

Cocking pieces.

Locks (for Muzzle-loading arms).

Machines for making, loading, closing or capping cartridges for rifled arms.

C. and L. Dept. No. 3798—90, dated the 27th May 1911.

XXI. Extracts from the Rules and Notifications under the Sea Customs Act, 1878.—

Bombay.

1. See Note (1) to Section 6 of the Act on [page 44.]
2. Hunting Knives are liable to import duty under the head "All other sorts arms, ammunition and military stores."
3. See para. VIII above.
4. See para. IX above.
5. Application for drawback shall be made in the appended form (not printed) of shipping bill printed in black on ruled paper of a quality approved of by the Collector; it must be accompanied by a duplicate copy in blue ink if the goods are to be water-borne for shipment, and by a third copy printed in violet ink.
6. If the goods on which drawback is claimed are arms or ammunition, the duplicate copy of the shipping bill shall be first presented to the Collector along with an export license, if one is required under the Arms Act, and his order permitting export obtained thereon.
7. All arms and ammunition * * * owned or possessed by any of the ship's officers or crew shall be separately entered in the Inward or Outward Manifests.
8. The attention of importers is drawn to the alternative declaration at the foot of the Bill of Entry, which is to be used when they have not sufficient information of the contents and value of goods to enter these details.
9. It must also contain the following particulars, in addition to those required to be given by section 29, for the following articles, namely:—
(1)* Arms or ammunition or explosives, their number, amount and description, and the number and date of the police license where one is required by provisions of the Arms Act or Explosive Act, together with the following particulars in the case of fire-arms, including gas and air guns and rifles, whether intended for sale or for the personal use of the importer, namely:

* In supersession of this office Notification No. 6009, dated 15th December 1894, it is hereby certified for general information that no claim for exemption from duty on fire-arms, made on the grounds that the arms are re-imported and that duty has been paid on them on their first importation will be allowed in respect of arms exported after the date of this notification unless

(1) in every case the original receipt for the duty paid is forwarded to the Customs House either at the time of exportation or at the time of re-importation, and

(3) in the case of arms exported as baggage, particulars of the arms as to description and the name of maker and number on the arms have been forwarded to the Customs House at the port of embarkation for registration and a pass obtained before shipment, and the pass is produced at the time of re-importation for the purpose of checking the arms with the pass, and

(3) in the case of arms exported as cargo, particulars of the arms as above have been given in the shipping bill and information as to date and vessel by which exported is furnished at the time of re-importation to allow of the information being checked by a reference to the shipping bill, or, if the port of re-importation is not the original port of exportation a certificate is produced from the Customs Authorities at the port of exportation certifying to the correctness of such information.

Exemption from duty cannot be allowed in any case where—

- (1) drawback has been claimed and paid on the exportation of the arms ; or where
- (2) the arms have passed out of the possession of the original importer or a member of his family ; or where
- (3) the arms are imported as merchandise for sale and not private personal use ; or where
- (4) the arms were exported more than three years before their re-importation.

(Commr.'s Notn. 5360 of 29-10-95.)

(a). in the case of smooth-bore guns.

- (1) single or double-barrelled.
- (2) muzzle or breechloading.
- (3) pin or central fire.
- (4) with hammer or hammerless,
- (5) size of the bore,
- (6) number and maker's name on the gun,
- (7) whether taking Government ammunition or not ;

(b). in the case of rifles and carbines (1) to (7) as above, and

- (8) magazine or repeating (if either),
- (9) Snider-Enfield, Martini-Henry, Lee-Metford, Winchester, ordinary Express, Rabbit, Rook, or other pattern,
- (10) number of yards up to which sighted,
- (11) if fitted for a bayonet,

(c). in the case of Revolvers—

- (1) number of chambers ;
- (2) description or pattern of revolvers ;
- (3) number and maker's name on revolvers ;

(d). in the case of Pistols, same as (c) (2) and (3).

10. * * * and in the case of arms or ammunition, the number and date of the Police license shall be noted, and the Collector's permission to let export obtained thereon.

11. All the headings and columns must be filled up, and all the copies must be signed by the shipper or his agent and must be countersigned by the person presenting it and if he is a licensed Custom House agent, endorsed with the number of his license.

12. It must also contain for—

(1) arms and ammunition, the number and date of the license if one is required under the Arms Act and the Collector's order to permit export ;

* * * * *

13. Warehouse rent will be charged according to the following scale on unclaimed and other goods deposited in the King's Warehouse :

Amended scale of rent charges on unclaimed and other goods deposited in the King's Warehouse.

No.	Description of Goods.	Rate per week.			Per
		Rs.	A.	P.	
1	Arms and Ammunition—				
	Gun	0	2	0	Each.
	Revolvers and Pistols	0	1	0	do.
	Swords, Bayonets, Spears, etc.	0	1	0	do
5	Gun-powder and cartridges	1	to	4	Case
	* * * * *	c	*		*

14. The Governor General in Council is pleased to exempt from the import duty leviable thereon under Schedules II, III and IV of the Indian Tariff Act, 1894 (VIII of 1894), and amended by the Indian Tariff Act, (1894) Amendment Act, 1896 (III of 1896), the articles mentioned in the following list, when imported direct by an officer of His Majesty's regular forces serving in India for his own use, provided that under the regulations and orders for the time being in force the officer is required to maintain the articles in question for the due performance of his military duty.—

List of Articles.

Rifles of regulation military pattern, and parts and appurtenances thereof.

Ammunition for ditto.

* *

15. (1) The Governor General is pleased to exempt from the import duty leviable thereon under Schedules II and IV of the Indian Tariff Act, (1894) Amendment Act, 1896 (III of 1896), the following articles, when imported direct by any unit of His Majesty's regular forces serving in India for the use of such unit —

Arms (including rifles, guns, and pistols, lances, lanceheads, swords) and parts and appurtenances thereof.

Ammunition.

* * * * *

(Govt. of India Notification No. S. R.-582, dated the 26th January 1904.)

16. In exercise of the power conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to extend to units of the Imperial Service Troops the concession granted in the notification of the Government of India in the Finance and Commerce Department, No. 582-S. R., dated the 26th January 1904, to units of His Majesty's regular forces serving in India, under which certain specified articles imported for the use of such units are exempted from the customs duty leviable thereon under the Indian Tariff Act, 1894 (VIII of 1894); provided that the articles imported are covered by a certificate from the Inspecting Officer of the Imperial Service Troops concerned to the effect that they are necessary for such troops and will be used solely for military purposes.

(Govt. of India Notification No. 6311-85, dated 25th August 1909; B. G. Notification No. 8536 of 31st August 1909).

17. Any article of *Foreign production*, on which import duty has been once paid, if subsequently exported it shall, *on re-import*, be exempt from duty on the following conditions:—

The Collector of Customs must be satisfied—

- (1) of the identity of the articles;
- (2) that no drawback of duty was paid on its export;
- (3) that the ownership has not changed (extended to the family of the original importer);
- (4) that it is private personal property re-imported for personal use, *not merchandise for sale*;
- (5) that not more than 3 years have passed since it was re-exported.
(S. O. No 1650 of 2nd October 1879).

18. Rules for the exemption of passengers' baggage from Customs duty.

(1). The *bona fide* baggage of a passenger is exempt from duty when it accompanies him, does not form part of the cargo and is not included in the manifest.

(2). *Bona fide* baggage shall include wearing apparel and personal effects provided that the articles are not for sale and are imported for the personal use of the passenger or for the use of members of his family travelling with him; but it shall not include the following articles on which duty must be paid in all cases:

(a) Arms, ammunition and all other articles enumerated in Schedule II of the Tariff Import Schedule.

* * * * *

Government of India No. 6095-6099-68, dated the 3rd August 1906.

Appendix III.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES

In the Resolution read in the preamble, [No. 1755-70 dated the 24th September 1879] Local Governments and Administrations were requested to instruct district officers to take every opportunity of warning Englishmen and others against entering on standing crops for sporting purposes unless they first obtained the permission of the owners to do so. The Government of India have recently had brought to their notice a case in which a European, while out shooting, caused the death of two natives—in an affray arising out of the fact that he shot peafowl in the vicinity of a village. The rules issued by the Military authorities for regulating the grant of shooting passes to British soldiers provide all the safeguards that are practicable to prevent affrays between soldiers and villagers; but there are at present no orders ensuring that such warnings shall be given as may, so far as is possible, duly direct and regulate the conduct of sportsmen other than soldiers. The Governor-General in Council accordingly desires that instructions should be issued by Local Governments and Administrations to district officers to warn sportsmen, whether Europeans or others (1) against trespassing on standing crops without the consent of the owners (2) against shooting peafowl, or other birds or animals which are looked upon as sacred, in the vicinity of villages or habitations (3) against shooting domestic animals, such as dogs or pigs and (4) generally against shooting in the immediate vicinity of villages, temples and mosques.

Home Department Resolution. No. 1458-S4 dated the 27th September 1895.

I AM directed to forward a copy of the revised rules for the grant, of shooting passes to British soldiers in India which have been approved by the Governor-General in Council and published in the *Gazette of India* of the 27th October 1900 and to request that the special attention of the local civil officers concerned in the administration of the rules may be drawn to them.

2. These rules are drawn up chiefly for the guidance of the Military authorities, but their successful working cannot be insured without the co-operation of the civil officers. The Governor-General in Council therefore considers it necessary that the duties of the latter class of officers respecting this matter should be clearly laid down.

3. In rule 13 of the revised rules it has been provided that the Commanding Officer of a Regiment or Detachment is at once to send to the District Magistrate the substance of any report (together with a copy of the complaint, if any) that may be made by the member of a shooting party who is in charge of the party, on their return to quarters, respecting any breach of the rules, any affray with natives, or any mishap which may have occurred during the absence of the party. The Government of India consider it necessary that the District Officer also should communicate to the Commanding Officer immediate information of any breach of the rules by men under his command that may be reported to the Civil authorities. Cases have come to the notice of the Governor-General in Council in which the Civil authorities have omitted to make a report upon such occurrences to the Officer Commanding the Regiment, who remained in ignorance of the affair until a report was called for from Army Head-Quarters, or by the Government of India, or until the police inquiry had been completed. I am to request that, to enable the Commanding Officer of a Regiment or Detachment to take suitable notice of any infringement of the shooting pass rules, orders may be issued which will insure due information being communicated by the District Officer to the local Military authorities in cases which may come to his notice.

4. Rules 30 of the revised rules lays down that Officers Commanding Stations and Officers Commanding Troops about to march will communicate with the Civil District Officer in order to ascertain (a) in what localities shooting ought to be forbidden, and (b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season. There is, however, more continuity in the Civil District Offices, where the establishments, if not the officers, are to a great extent permanent, than in Military Cantonments. With a view, therefore, to guarding against the provisions of the rule being overlooked. I am to request that instructions may be issued to Commissioners and District Officers to the effect that, on the arrival of a corps or detachment in a civil district, the District Officer shall at once certify to the Officer Commanding the corps or detachment what localities, animals and birds are forbidden for shooting purposes, either absolutely on account of the prejudices of the inhabitants, or for parts of the year in accordance with rules for close seasons. In defining tracts of country where shooting is to be allowed, the local officers should be directed to bear in mind the orders contained in Home Department Circular letter No 1011² dated the 31st July 1883, and to take care that no tracts are included where owing to the religious prejudices of the people, the agricultural circumstances of the district, or other sufficient causes, there would be risk of danger if free permission to shoot were accorded.

5. In the circular of the 31st July 1883 referred to above, and in that No 19-1230-1239, dated the 31st July 1891 marginally noted, Local Governments and Administrations were requested to instruct the District authorities to cause the shooting pass, rules to be explained to villagers in the neighbourhood of cantonments, and to warn such villagers against interfering with soldiers out shooting and using violence to them, and also against taking the law into their own hands in cases in which soldiers infringe the rules. The Governor-General in Council now directs that the substance of the revised rules, so far as they affect the villagers should be periodically notified in simple language in the villages and tracts where soldiers are in the habit of shooting and that District Officers should impress upon landlords, headmen and village police that they are expected to give their assistance in avoiding disputes with soldiers out shooting. The headmen and village police must see that soldiers conducting themselves properly are not molested, and that any complaints of misconduct are reported to the proper authorities. In cases in which notice of the probable advent of a shooting party has been sent to the District Officer under rule 31 of the revised rules, he should with as little delay as possible, send intimation to the headmen and village police (so far as this can be done) stating that a shooting pass has been issued and that they are to see that quarrels are avoided. Villagers should on no account take the law into their own hands, but should lodge any complaint they have to make in a legal manner.

6. In the circular from this Department, No ~~3347~~⁵⁰-3378, dated the 14th October 1887, the importance of conducting prompt investigation into cases of affrays between European soldiers and native villagers was inculcated, and it was desired that, on the occurrence of a serious affray, the District Magistrate should invariably either himself proceed to the place or at once depute an European Magistrate or the District Superintendent of Police in order to investigate the matter on the spot at the earliest possible time after the occurrence. I am now to request that instructions may be issued that the investigation of a case between natives and soldiers arising out of a shooting dispute should, whenever possible, be entrusted to an English Magistrate or Police Officer not lower in rank than Assistant Superintendent, and that when such cases come into Court they should be tried by the District or Joint Magistrate. In cases which are not cognizable by the police, or where the prosecution is not undertaken by the Civil authorities, the Civil District Officer shall inform the Commanding Officer of the Corps or Detachment concerned to that effect for such action as the latter may consider fit to take.

7. In conclusion, I am to say that the Government of India think it desirable that each Commissioner, District and Sub-Divisional Magistrate should be furnished with a copy of the revised rules as a separate publication.

Home Dept No 3477, dated the 31st December 1900

RULES FOR THE GRANT OF SHOOTING PASSES.

1 The following rules will be observed, and are applicable to all individuals, below the rank of officer, who are subject to the Army Act.

2 These rules apply to troops on the march or in moving camps, as well as to troops in cantonments or standing camps.

3. No soldier shall carry fire-arms for sporting purposes without a shooting pass. (I. A. F. L.—1181) Shooting passes will only be granted to warrant and non-commissioned officers and to efficient private soldiers possessing at least one good conduct badge. A soldier, who is ineligible for a shooting pass, shall not be allowed to possess a sporting fire-arm.

4. Soldiers of and above the rank of sergeant may be granted passes to shoot alone, provided that the officer granting the pass is satisfied that the soldier has sufficient knowledge of the language to enable him to converse with the inhabitants, or that he will be accompanied by a qualified Indian interpreter. In the case of other ranks passes will only be granted to a party of not less than three and not more than six, one of whom shall be in charge of the party. The party must in all cases be accompanied by an Indian qualified to act as interpreter, whose name will be entered on the pass.

5. One member may be left in charge of the camp, but the remainder of the party shall not separate while shooting.

6. All shooting passes will be issued on I. A. F. L.—1181. They will be granted by the O. C. the corps, department or detachment to which the soldiers belong or to which they are attached, who will keep a record of all passes granted. The names of the party and of the interpreter, the places, up to a maximum of three, at which the camps will be located, and the numbers and specifications of the fire-arms carried will be entered on the pass and the certificate on the face of the pass will be signed by the squadron, battery, section or company officer and countersigned by the O. C. Before the party starts the armourer sergeant, and in the case of a battery, the armament artificer, if available, or the section officer, will inspect all the fire-arms entered on the pass and will sign the certificate thereon.

7. Shooting parties will camp only in the actual places named in their pass, and will not shoot outside a radius of 5 miles of the camp.

8. No fire-arms not specified on the pass shall be carried or used, and no rifle or carbine shall be used, which carries government ammunition or is sighted over 300 yards. With the exception of rifles kept for match shooting, the only shooting weapons which British soldiers are permitted to own are such as are intended and used for sporting purposes. The possession of revolvers, pistols of all sorts, and weapons which do not fulfil the conditions specified in this rule, is absolutely forbidden.

9. All bullets used with rifles or carbines for sporting purposes must be hollow.

10. No person not named in the pass, except a shikari and game coolies, shall accompany a shooting party.

11. Shooting passes as a rule shall not extend to more than 14 days, but special passes for periods not exceeding one month may, with the sanction of the Bde. or Divnl. Comdr., be granted to men known to be experienced sportsmen. Soldiers requiring passes to shoot at a distance, or for periods of more than 3 days must apply for the pass at least 6 days before the date on which they wish to start, so as to enable notice to be given to the district civil authorities as required by rule 31.

12. The soldier in charge of the party shall carry the pass. He shall produce it when reasonably required to do so, and he shall at once return it to the senior N. C. O. of the squadron, battery or company when the party comes back to camp or lines. On returning the pass he will report any breach of these rules, any affray with Indians, or any mishap, which may have occurred during the absence of the party.

13. If any such event is reported, the N. C. O., to whom the pass is given up, will at once inform the O. C. the corps, who will immediately report the occurrence, with full particulars, to the O. C. Station and district magistrate. A copy of the complaint, if any, should also be furnished.

14. Arms shall not be loaded in the vicinity of camp, lines, or quarters, and shall be unloaded as soon as the party leaves off shooting.

15. If any member of a shooting party commits any act resulting in injury to person or property, or is involved in an affray with Indians, the party shall return to camp or lines without delay, after reporting, if possible, to the nearest civil authority.

16. In any such case, on return of the party, a telegraphic report will be made by the O. C. the corps as laid down in item 282, I. A. F. Z.—2000, and a detailed report shall be sent to the same authorities by post when all the facts have been ascertained.

17. No shooting with bullets of any kind is permitted except in forest or close jungle, or in tracts of country where such shooting is not attended with danger.

18. Shooting at night is forbidden, except in forests.

19. Shooting in government reserved forests is prohibited without a special permit from the forest officer.

20. No member of a shooting party shall address or enter into conversation with any Indian woman.

21. No member of a shooting party shall enter any village, house, temple, mosque or enclosure, nor shall shoot within 500 yards, of such. If supplies are to be obtained from a village, the interpreter may be employed for the purpose.

22. Members of shooting parties are forbidden to trespass upon or shoot over crops.

23. No member of a shooting party shall shoot at any animal or bird, or in any locality, included in the prohibited list shown on the pass.

24. Shooting at peafowl is prohibited, unless by special permission endorsed on the pass. No shooting at hinds, does, monkeys or dogs is permitted.

25. The shooting of pig within a radius of 15 miles of Saugor, C. P. is prohibited. (Soldiers are cautioned that the jungle pigs are foul feeders and it is unwholesome to eat them).

26. All fire-arms and made-up cartridges used for sporting purposes, whether private property or issued by government, shall be kept in the store room in charge of the senior N. C. O. of the squadron, battery or company, who alone may issue arms and cartridges on the production of the pass in which they are specified; and this duty shall not be delegated to any other person. This rule is applicable to "Quackenbush" and similar miniature rifles.

27. On the return of the shooting party all fire-arms issued from the store-room and unused made-up cartridges, shall be made over to the N. C. O., mentioned in para. 26, who will sign for their receipt on the shooting pass.

28. All arms kept for sporting purposes shall be entered on the "daily state" of the corps or detachment; and shall be shown as "present," "on pass" or "absent."

29. All gunpowder used for loading or re-loading sporting cartridges shall be kept in the magazine of the unit and issued from and returned thereto under the usual rules. When in the magazine the powder should be contained in the usual flasks or tins in which purchased and these again placed in an ordinary kit box under lock and key. The total quantity of gunpowder placed in the magazine should be restricted as much as possible, and should never exceed 50 lbs. The flasks or tins containing powder or never to be opened in or near the magazine. Filling cartridges should not be permitted in barrack rooms, this should be done in the open air.

30. O's C. stations and O's C. troops about to march will ascertain from the civil district officer (in Native States, the Political Officer):—

- (a) in what localities shooting ought to be forbidden,
- (b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season,
- (c) whether any special rule have been published by the civil authorities of the district, and will ensure that they are made known to all shooting parties.

31. Prior to the issue of a shooting pass which is to extend over three days, the O. C. by whom it is to be granted shall send notice thereof to the district officer of any civil district in which the members of the party are to be permitted to shoot. This notice shall be despatched at least three days before the commencement of the currency of the shooting pass. The notice shall state the ranks and names of the members of the party, the place or places which they are to visit and the dates indicating the duration of the pass.

32. The notice furnished to the political officer of a Native State shall be despatched at least three days beforehand, but such longer notice shall be given as is possible.

33. Soldiers marching through a Native State are in no case to be permitted to shoot beyond ten miles of camp.

34. When passes are granted to enable men to shoot at a distance from their own station, the following procedure will be observed —

(1) A furlough pass (I. A. F. L.-1180) to the military station nearest to the locality concerned will be issued, on which the O. C. will state, in red ink, that the soldiers are eligible for a shooting pass (I. A. F. L.-1881) and that they are permitted to carry fire-arms and ammunition for the purpose. The furlough pass so endorsed shall be an authority to the N. C. O. in charge to issue arms and ammunition to the party, after the armourer sergeant has signed the specification that the arms are in good conditions and not contrary to rule 8.

(2) A shooting pass will at the same time be issued in the usual form with the omission of (a) the name of the interpreter, (b) the dates indicating the duration of the pass, (c) the list of prohibited localities, animals and birds, and (d) the countersignature of the O. C.

(3) On arrival at the military station to which they are granted furlough, the party will report themselves to the military authorities at that station who will attach them to a military unit.

(4) The O. C. the corps or detachment to which they are attached will, unless there are valid reasons to the contrary, complete the shooting pass by entering (a) the name of a qualified interpreter, (b) the dates indicating the duration of the pass and (c) the list of prohibited localities, animals and birds for the tracts of country where the members of the party intend to shoot, and will then add (d) his countersignature. He will also give the notice to the civil authorities required by rules 31 and 32.

35. The possession of fire-arms and ammunition by members of the party is only allowed during the currency of the shooting pass. When that period has expired they must be at once lodged in the store-room.

36 When any serious breach of those rules occurs, the O. C. corps or detachment will at once report by telegram the date and all the facts of the incident, so far as known, and also full details of the action taken, to the authorities laid down in item 232, I. A. F. Z -2000. Detailed reports will be submitted subsequently by letter to the same authorities

37. In every such case the O. C. corps or detachment will immediately apply for the assembly, if possible, of a court of inquiry, which should commence a thorough and searching investigation in view to securing the best possible narrative while the event is still fresh ; and he will communicate with the district magistrate as freely as required. If a C. of I. cannot be assembled the O. C. will himself conduct the investigation. The C. of I. or, if one is not assembled, the O. C. will, during the enquiry, endeavour to ascertain whether any, and if so, what breaches of these rules have been committed or have taken place, the nature of which would render the offender (a) liable to trial by court-martial under paragraph 38, and particulars thereof should be recorded in the proceedings or report. When the civil authorities also take up the case, every assistance possible will be rendered to them in their investigation. The medical officer, who first attends to any person (whether soldier or civilian) wounded in any such case, will, without delay, bring to the notice of both the civil and military authorities, the nature and extent of the injuries received, and their probable ultimate result.

38. Any soldier shooting without a pass shall be tried by court-martial; and shall on conviction be deprived of the privilege of shooting during the remainder of his Indian service. Also, any member of a shooting party who commits any breach of these rules resulting in material injury to person or property, shall be tried by court-martial. Cases of all other breaches of the rules shall be reported to the Bde. or Divnl. Comdr for orders.

39. When a court-martial is to be held under rule 38 the case shall be sent to the D J A G. of the Army concerned, who will frame the charges and prepare the brief for the prosecution, and the proceedings of the court-martial shall be sent to the same officer for report before confirmation. If a civil or military enquiry has been held on any case, the proceedings of the enquiry should accompany application for trial in view of all possible evidence being made available.

40 When a court-martial is held under these rules, the results will be reported for the information of the C. in C. and the G. of I.

41 If any breach of these result, or any act committed by a member of a shooting party, results in an affray with Indians, or in material injury to person or property, and the offender or offenders cannot be identified, all shooting passes may, at the discretion of the Divnl. Comdr, be prohibited in the corps or detachment or in the district, for a period not exceeding two years. Every such prohibition shall be published in Divnl. orders and reported for the information of the C. in C. and the G. of I.

52. Shooting passes will be granted to warrant and non-commissioned officers of department (including I. S. M. D.) by the local departmental senior commissioned officer, in accordance with these rules so far as they may be applicable. Standing passes for a maximum period of six months, but subject to the rules relating to prohibited localities, animals and birds and to the other restrictions referred to in these rules, may be granted to subordinates of the M. W. S. who are not employed in cantonments. In every case the officer granting the pass is responsible for seeing that the list of prohibited localities, animals and birds is duly entered on the pass.

43. Warrant and non-commissioned officers of departments (including I. S. M. D.) granted a shooting pass will, before proceeding, have all the fire-arms, entered on their pass, examined by the officer who signed the pass, or by an armourer if one is available in the station.

44. A copy of these rules and of any special civil rules which pertain to the district, also a list of prohibited localities, animals and birds, shall be hung up in a conspicuous place in every barrack-room.

45. Twice a year (in April and October on such day as the O. C. directs) rules 1 to 29 and rules 38 and 41 shall be read on parade to all British troops.

46. All military subordinates (departmental or non-departmental), including Assistant Surgeons, I. S. M. D., will be held responsible that they make themselves fully acquainted with these rules.

47. No shooting passes shall be issued to troops disembarking in India until, after their arrival at their destination, these rules, together with the list of prohibited localities, animals and birds, have been read to them on parade. The O. C. any party of troops shall have his attention directed to this order before disembarkation.

48. A copy of rules 26, 27, 28 and 29 shall be hung up in every squadron, battery or company store-room.

49. Rules 1 to 10, 12 to 15, 17 to 29, 35, 38, 41 and 43 will be printed on the reverse of shooting pass, I. A. F. L.—1181.

50. A copy of these rules will be issued with every shooting pass (for which purpose the rules are reprinted in pamphlet form and copies supplied to all concerned), and will be carried by the member in charge of the party, who will make it over with the pass to the senior N. C. O. of the squadron, battery or company, on return to barracks or camp.

51. The following are the orders of the Government of India to the civil and political authorities in connection with the foregoing rules:—

(i) The civil authorities will periodically explain the substance of the rules and orders in simple language to the inhabitants of all villages and tracts where British soldiers are in the habit of shooting, warning them that soldiers are on no account to be attacked or molested, and that any such offences will be severely punished. The inhabitants therefore will have no excuse for interfering unwarrantably with members of a shooting party.

(ii) The district or political officer will impress on zemindars, headmen, landlords and police, that they must use their endeavours to prevent disputes with, or the molestation of, any member of a shooting party, and that complaints are to be reported to the proper authorities by the villagers, who must not take the law into their own hands.

(iii) When the district or political officer receives notice under rules 31 and 32 of the probable visit of a shooting party, he will at once inform the headmen and village police.

(iv) The district or political officer will, on the arrival of troops in a civil district or Native State, at once inform the O. C. of such troops of the prohibited localities, animal and birds, and of any special civil rules pertaining to the district.

(v) When a complaint is made by a villager against any member of a shooting party, the district or political officer will at once report the matter to the O. C. of the soldiers concerned.

(vi) Disputes between members of a shooting party and villagers will, if possible, be investigated by a European magistrate or police officer not below the rank of superintendent, and such cases will be tried by a district or joint magistrate. The O. C. concerned will be informed by the district officer of cases not cognisable by the police, or where prosecution is not undertaken by the civil authorities. The O. C. will thereupon take such action as may be necessary.

(*iii*) The rules for soldiers provide for punishment of a corps or detachment, or districts, in the event of the offenders not being discovered. A similar responsibility may be enforced upon villages where aftrays with British soldiers have occurred, if the villagers generally, or a considerable number of them, have made an unwarranted attack upon a shooting party, but the actual offenders have not been brought to justice. The villagers will be warned that in all such cases they are liable by law to have extra police quartered upon them at their own expense.

Appendix IV.—RULES FOR THE ACQUISITION, POSSESSION AND SALE OF RIFLES.

India Army Order No. 12, dated the 3rd January 1910.

Possession and sale of Arms—The following rules for the acquisition, possession and sale of rifles, extracted from the Indian Arms Act, 1878 (Act XI of 1878) and the Indian Arms Rules, 1909, are published for the information and guidance of all concerned. Special attention is drawn to paragraph 5 and 6 of this order (quoted below) which define the obligations of persons exempted from the provisions of the Arms Act

1. The following persons are exempted, in respect of the arms and ammunition described, when carried or possessed for their own personal use, from the prohibitions and directions contained in sections 13 to 16 of the Indian Arms Act, 1878, subject to the provisions stated below:—

(i) Persons exempted.

Persons specified in clauses (3) and (5) and (6), Schedule I, [pages 97, 91 and 92]

(Explanation) Lawfully imported refers to (a) rifles of 303' bore purchased or imported by officers as part of their equipment before 1st May 1903, (b) rifles of 303' bore or 450' bore of the M II pattern, imported before the 20th February 1901, (c) rifles of 450' bore not of the M II pattern, imported before the 27th October 1906, (d) rifles of 303' bore imported under clause (21) of Schedule I, (e) rifles of 303' or 450' bore imported with the special sanction of the Government of India.

4 Special exemptions.

Those specified in clause (21) of Schedule I, [page 97.]

5. **Sale of Arms.**—Nothing shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use under paragraphs (i) above, to any person who is not by any enactment for the time being in force prohibited from possessing the same, but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption by notification in the Gazette of India shall, without unnecessary delay, give to the Magistrate of the District, or to the officer in charge of the nearest police station notice of the sale and of the purchaser's name and address.

6. **Losses of arms.**—Losses or thefts of private arms must be forthwith reported to the nearest police station through the Commanding Officer or Head of the Department.

NOTE—With regard to rule 5 above, instances have come to notice of carelessness in the disposal of fire arms and ammunition, and of rifles and rifle ammunition having been sent for public auction, and so disposed of to persons not entitled to possess them. The Government of India have desired that severe notice be taken of any cases of negligence in these matters and that all concerned should be warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

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